App F IX 4

Previous References

19 51-52

C M)

File No 90-51

Serial Nos 1, 2, 3

Later References

C M Dep no 111/52

GENERAL AND REVENUE SECRETARIAT

Serial Nos 3

P-111
E

Part B for March 52

SUBJECT

License to Sri S A Venkataramana for running power Coal Cruf mills.

L 1565 2-4 / 29-3-52.

The Commr Corpn Bangalore
(thro' the Mayor)

Sri B N Hemanna & others
(thro' the counsel)
Sri S A Venkataramanappa

Rejects

WD 015467—GPB—25 000—12 9 51

4/9/52

General and Revenue Secretariat | File No 5825/mt of 1949-50

Serial No

petition dated 27 2 50 from Sri Venkata Ratnamanayya B Sc B L to the Collector for L S G presented through Counsel Sri G V Ramachar B A LL B appealing against the orders of the Commissioner, Corporation of the city of Bezwada returning the petitioners to reconstitute the Boundary of the Small Towns on the grounds of alleged mistakes.

Counsel's order

1

The grounds of appeal are detailed in the petition pending disposal of the petition orders are solicited for staying further action

2) The Records of the Collector Lack presented another petition to the Collector for calling for Communications and Query on 15 12 49 praying for cancellation of the licence granted to Sri Venkataramanamurthy and a Report has been called for as this from the Commissioner

3) If approved, the present petition of Sri Venkataramanamurthy can also be forwarded with Counter affidavit by the Corporation Commissioner for a report with all the connected Records.

4) It is also for orders whether a stay order may in the meantime be →

43+b/ml

Petition dated 15 12 49 from Sri B N Narasimhappa (B S Srinivasan Bond 5) and others, residents of Sri Ranga Swamy Temple Street Bangalore city addressed to the Minister for city Municipalities and Muzrai praying that the license granted to Sri Venkata Ramanayya to run a Rolling Mill in Premises no 44, at the place may be Cancelled

orders of the Minister for city Municipalities and Muzrai —

General Secretary, for a very early report"

(Sd) P S Chetty
M 31/12/49

Memo and endorsement are put up for approval

Submitted
4/1/50

Sri
JR
6.1.50
6/1/50

L 6572/49 6/1/49
Smt 6573/49 6/1/49

Smt 7/1/50

Appeal petition of Sri Venkataramanaraju re discontinuance of his small factory

File No 5825/Jal of 1949-50

General and Revenue Secretariat

Serial No

issued as prayed for to the petitioner, pending orders on the petition

Urge 2/3/50

JAL 5) A stay order may be given

Minr to 24) Sd 2/3/50

6) The petitioner may be asked to produce the copy of the notice issued by the Commissioner

Sd 2/3/50

Sd 2/3/50

7) Dft letter Sd 4/3/50

C IC OF TH ISTER FOR LOCAL SELF-GOVERNMENT
No 4821
Date 2/3/50

8) A draft Cellar is put up

Re 4/3/50

9) Approved

JAL 6/3 Endorsement as L 9469 dt 6 3 50 issued. Sd 6/3/50

Copy of notice dated 10 2 50 issued to the Commissioner, Corporation of the city of Bezwada to Sri Venkataswamy Raju for discontinuing the working of the factory

flag "F"

Secretary's orders

10) Jrc with the Records

Sd 6/3/50

Asst Secy's orders

11) Noted and Respondent informed the issue of stay order

Sd 7/3 Submitted for orders - Ref para 6 above

Urge 7/3/50 Sd/- [illegible]

JAL 8/3

WD 06999—GIP—25 000—26 7 49

TH GOVT OF MY 10/4774 Date 8/3

[App F III-

General and Revenue Secretariat

File No 5825/ul of 19

Serial No

13) Mar 26 54) Sen 19/3/80

14) A stay order may issue — pending disposal of the case after spot inspection

Or 14/3/50

16/1 15) DPP (illegible) 16/1/50

16) Draft letters are put up for approval

Subd 16/3/50

17) Separately 16/3/50

To

The Commissioner, Corporation of the City of Bellary (Now the Deputy [illegible] 17350

Issue a stay order — pending spot inspection

Endorsement to the Venkataramanarajan [illegible] 17350

Informing that the matter is stayed.

Letter dated 9.3.50 from the Venkataramanarajan praying permission to run the factory at the place

T LOCAL GOV ENT

To Legal

Date 14/3/50

To Bud

Date 16/3

DYSP E * IS

Note—Contn Sheet

6056/pol

Petn from Venkateswarulu Naidu
— Issue of Rly Pass

File No

of 19

General and Revenue Secretariat

Serial No

18) A stay order was issued on 17 3 50 An endorsement was ~~also~~ granted to the party also the petition will be kept in the file

Sd/- 23/3/50

19) A stay order has issued as per directions given at para 14 supra

20) The file will be sent to the Office of the Minister for Rly for post-inspection as directed therein (Para 19)

P A to the Minister for Rly 24/3/1950

21) I propose to inspect the Hospl on 10-4-50 at morning the concerned authorities may be intimated

Ok 5/4/50

by [illegible] at once 5 1 5-3

by [illegible] 24/3/50

5/4/50

Rwd Date 5/4

23) Draft letters are put up for approval

Sd/- 6/4/50

24) Issue at once 6/4/50

WD 06320—GPB- 25 000—26 7 49

6056/mk

Petition from Sri Venkata ramanayya for permission to run the factory at premises 2044, Rangaswamy Temple Street, Bangalore

The Commissioner, Corporation of the city of Bangalore

L191/1964 50

States that the spot will be inspected on 10 4 1950

To

1) Sri Venkata ramanayya Rajan 44, Rangaswamy Temple St Bngr

2) Sri B S Shivaram, No 45 Rangaswamy Temple St B'lore

L192-3/1964 50

Inform the inspection the spot on 10 4

2) Submitted with reference to Para 21 Supra

6/4/50

3) This is for spot inspection on the morning of the 20th April 1950

PA to the Minister for L.S.G.

6/4/50

Office of the Minister for Local Self Government.

No 329

Date 24/4/50

Paper & Sun Insurance Case 6056

Paper Rolling Mills

27) I inspected the spot on 10-4-50 along with the Corporation Commissioner, Deputy Mayor, Engineers & some other Officials members of the Corporation we were informed by the parties concerned that they had stopped the work on account of some injunction issued by the Court I propose to await the decision of the Court before taking any final decision in the matter since the matter is under the consideration of a Judicial Court In the meanwhile, the report called for from the Corporation Commissioner may be got early

Dated 15/4

24/4/50

28) Call for

21/4

24) A draft Reminder is put up for approval

Subd
26/4/50

30) Issue at once
26/4/50

The Commissioner, Corporation
Blue
L 1116/49 27-4-50
Reminder issued

Subd
3/5/50

31) D.O Reminder is put up for approval

Subd
30/6/50

32) Reminder
3rd

The Comr, Corpn
Blue
L 3653/49 3-7-50
Reminder

Subd 4/7

6056/1951 V2333/1951

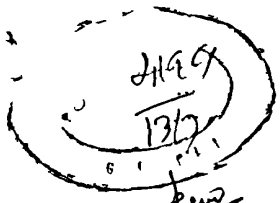
Petition of Sri Venkataramana Raju - power Rollers & Mills

From
The Collector, Corporation of Bangalore
No H 6-169/1949-50 dt/6/7 2-50
Forwarding the Report called for

PVD 33) The Report of the Collector is for perusal. Since the enquiry is quasi judicial, it is for consideration of the decision of the Court may not be awaited — Ref para 27 Supra

Rec 19/7/50
JM 19/7

L.A.G. Reg 19/7/50



Rec 19/7/50

34) The decision of the said Court may be awaited

Minister for L S G) Reg 19/7

35) R 19/7/50

Reg 21/7/50

Further petition dated 9/2/1951 received from Sri B N Chikkanna and others, Residents of Premises no 43 Ranga Swamy Temple Street, Bangalore city, addressed to the Minister for L S G in the matter of the grant of license to Sri Venkataramanarajan for running Power Rolling Mills at Premises no 46 at the place

C M er
fo L c ov r ment
No 1738
Date 17/7/51

2333 / 7686 V 8407/mg
Ltr dtd from Sri Venkateswara Mahajan —
Power Rolling Mills

---

orders of the Minister for L S G —

36) " Corporation Commissioner, for a report "

(Sd) R C
4/9/51

Memo, forwarding the petition to the Commissioner, Corporation of Bangalore put up for appl

Subd MS 16/2/51 JM

37) Issue at once —
MS
22/2

L. 12035
Dd 22/2/51

Sub 28/2

38) A draft D_o Reminder is put up for appl

Subd MS 12/3/51

39) Issue at once —
MS
12/3
Records rec'd L 12558 Dd 12/3/51

Narasa's petition dated 9 3 51 from Sri B N Nanjunda and others & the L S G Records in the matter

---

Necessary orders

40) " The Case is pending for a long time The Corporation may be requested to Speed the operation accordingly "

(Sd) R C
9 3 51

SLC 7/mk 5860/mk

petition from Sri Venkatachalapathy Reddy
praying for writs

41) The Caveator has been requested accordingly on 12 3 51

He has also requested over telephone on 12 3 51
Mo 17/3/51

42) Another draft Do Records is put up for approval
Mo 19/3/51
M

42) Pl Issue at once
MS 20/3

Issue
Notice of Corporation of Madras
No A G P R 44/49 SO dt 20 3 51

returnable on 26 3 51

44) The Report of the Caveator is for perusal
The Report of the Health Officer referred to therein is filed as Exhibit A
No Case is stated.

45) On petitioners request from Sri Venkatachalapathy who was issued a notice of the municipal authorities for stopping the working of the wells and also the residents of the localities who have been protesting the original issue of the case for the writs etc, a stay order was issued on 17 3 51 pending disposal of the matter after Report enquired

Exhibit "A"

46) The Report was also enquired by the Hon'ble Minister for L S G on 10 11 50

8605/mdg

petition from Sri Venkataramanarao
power Rolling mills

When it was learnt that the factory had stopped work owing to an injunction issued by this 1st Munsiffs Court Then the case the matter was taken to Court the Municipality was moved to order that the decision of the Court may be awaited. The Municipality also earlier which had launched a prosecution against Venkataramanaiya for non Compliance with the notice issued to him, withdrew the case after the issue of a stay order from this Court

4) The position now stands as follows:-

The stay order to the Municipality to stay further action issued from this Court has not been vacated and therefore now stands

The prosecution launched by the Municipality against Sri Venkataramanarao stays for the notice issued from that Court withdrawn in consequence of the above stay order

There is an injunction from the 1st Munsiffs Court where the case is taken and the stay order therefore stopped work

The result of the case in the Munsiffs Court is not known

4) Pl put up draft ascertaining the result & reinstate
MS
27/3

8605/mz

petition from Sri Venkatachalapathy Rajah
power Rolling Mills -

48) As the matter is subjudice it is for consideration whether the stay order/ may not now be vacated issued from this office

Ref paras 14, 27, 34 & 35 above

Nov 31/3/51

52) Submit draft for approval (para 49 awaited)
DT 28/3

51) Issue to day/forthwith
MS 28/3

Issued L 13099/80 51 dy 29 3 51

To

The First Munsiff Bangalore

51 Reminder after issue
DT 29/3/51
30/3

52 The result of the case pending in the Munsiffs Court is not known The Munsiff has been requested to intimate the result (vide this office letter issued on 29 3 51)

53) The stay order may has to be vacated if the Factory is found to run in violation of the conditions stipulated in the license the Corporation may again launch a prosecution against the party

54) From the perusal of the records it is clear that the working of the Factory in this crowded area is causing a great inconvenience to the residents

and the Venkatramanna keeps the running Power rolling mills and a heavy damage to the neighbouring houses The Hon'ble minister for L S G has been pleased to inspect the spot on 10 4 50 and pass certain observations during inspection (vide orders at para 27) As soon as the decision in the Civil Court is intimated the question of Cancelling the license & shifting the factory to a distant place has to be pursued in the interest of the residents of the locality Kind refce is also invited to the Notice dated 10 2 50 issued by the Comm^r to the factory owner wherein it is stated that the working of the factory is a nuisance to the persons in the neighbourhood on ac of the noise & Vibration generated in the course of the work

S. G Secy) MS 3/4

68 6/4

55) As the matter under an Injunction order issued by Civil Court, hence in vacating no urgency for particular use to vacate our stay-order A final decision of the Court has to be awaited

Hm dsa)

MS 5/4/57

56) To dispatch MS 5/4

on 8/4/51 Mee 11/4

OFFICE OF THE MINISTER FOR LOCAL SELF GOVERNMENT
No 5537
Date 6/4/51

6/4

Licence to the Venkata Ramanayya for keeping power
8605, 14 57) the parties will be heard on
27-4-51 at 2 P M the parties may
be informed

Or
15/4/51

58) Mu
19/4 59) Intimate the parties
at once
MS
19/4

60) Sibla, Instr a draft notice to the
parties for Kind approval

61) A letter received from the Joint Sheriff
Bapatla as put up with reg to para 52 Supra
for perusal
DS
20/4

62) Issue Credentials

MS
20/4

Issue L 495-6/50-51 dt 21 4 51

63) Credentials as ptd reg p. 62
DS
23/4

64) P A to the L S G minister
MS
23/4

65) the case is adjourned at the request
of the Counsel for the defendant to
15
25-5-51 (2 P M) the parties may
be informed

Or
27/4/51

66) Mu
30/4 67) Intimate at
once

68) A draft notice as put up for
DS approved
1/5 MS

Issue
C 1030 3/5+52, 4/5 MS 1/5

MS
30/4

8605/1174 M1 1556/Ind

License to Sri S A Venkatesamma Rajus from Summons from Rolling mills

69) The file may be sent to the P A to the Hble Minister for S G as the case is to be heard on 15.5.51 at 2 P.M. The parties have been duly intimated

P A to the Hon'ble S G 8/5 MS 7/5 OS

70) I have heard the parties today & posted for further hearing after both the parties present their written statements the date of hearing will be fixed after receiving the above statements

Chamber for Local Self Government No 697 Date 10/4/51

A Rund 7/5 H D DEPARTMENT

On 15/5/51

MS 10/5

71) The written statements of the parties are to be awaited

was 29/5/51 MS

72) Yes MS 23/5

SNS 25/5

Written Statement dated 25 from Sri S A Venkatesamanarayana

L S G Mandalam's orders.

73) Post up on the same file (Sd) R C 25.5.51

74) The written statement of the petitioners Sri B N Narasimha and others will also be awaited

ORS 11/6/51

75) Yes MS 2/6

SNS 5/6

1556, 2699 M11

License to Sri S A Venkatasamana Raju for running power rolling mills

174, 1556
2699

Written Statement dated 18751 from Sri B N Hemanna and others

Hon'ble L S G Minister's orders thereon

76) "Put up with the file

Sd RC
18/7

X Files A+B

77) Written Statements from both the parties have been received and put up. The file may kindly be submitted to the Hon'ble Minister for L S G for fixing the date of hearing (Vide para 70 supra)

Sd
27/7

Sd
28/7

78) Sd
30/7

(Sri L S G)

79) The parties will be heard on 13-8-51 at 2 P M Intimate the parties

Sd
30/7

Office of the Minister for Local Self Government
No 2404
Date 31/7/51

Sd
2/8/51

Sd
7/8

Sd
8/8

2699/Jud

Licence to Sri S A Venkatasubramanaraja
for removing of the power Rolling Mills

80) Draft notice is put up for approval

Recd 8/8/51 DSR

81) Issue of sd notice

DSR
8/8

To

1 Sri B N Hemanna and others
No 43 Sri Ranga Swami Temple Street
Blore

2 Sri A Bheemappa Naik Advocate Chitradurg

3 Sri S A Venkatasubramanaraja No 44
Sri Rangaswami Temple Street Blore

4 Srigus V Krishna Murthy and V Balasubramanya
Advocates Bangalore

L 4624-7/51-52 dated 8 8 51
Informs that the case is posted for hearing
on 13 8 51 at 2 PM

82) Resubmitted after issue The file may kindly
be sent on to the P.A to the Hon'ble Minister
for L S as the case has to be Reported on 13 8 51
at 2 PM

DSR
9/8

P A to Hon'ble
Minister for L S)

OFFICE OF
THE MINISTER FOR
LOCAL SELF GOVERNMENT
No 2840
Date 11/9/51

No
Rec'd
11/9

83) The parties will be heard on 15 cur
at 10 A M. Parties may be informed
accordingly

11/9/51 DSR)

11/9 Necessary arrangements
made 4.30 pm

2699/ml

License to Sri S A Venkataramanayya for planning the power Rickpr rolls

—

8a) Notices to parties are prepd up
Date 11/9/51 sd

8b) Issue
11/9/51
4 50 pm

Issued notices to the counsels of the parties and Sri Jagadeesa Narayana & Venkataramana Rajus
vide L 6244-5 dated 11 9 51
and no L 6246-7 dated 12 9-51

OFFICE OF
THE MINISTER FOR
LOCAL SELF GOVERNMENT
No. 3063
Date 11.9.51

8c) The file may now be sent to the personal Assistant to the Hon'ble L S G Minister

Date 12/9/51 P.A. to the Hon Minister for L S G
14/9/51

8d) The case will be taken up for hearing on 27-9-51 at 12 noon A.M. The parties may be informed.

Rec'd 1919

15/9/51
Ady
19/9
Very urgent
20/9/51
1.m.25

2699 HL V5884-D.

License Hot to Sri S A Venkalaramanarao for running the power Rolling Mills

To

1) Sri B N Hemanna and others
No 43 Rangaswami Temple Street
B'lore

2) Sri A Bheemappa Naik, Advocate
Chitaldrug

3) Sri S A Venkalaramanarao
No 44 Rangaswami Temple Street
B'lore

4) Sris V Krishna Murthy & V Balasubra
Advocates Bangalore

L. 6583-D/dated 21 9 51

informs that the case is posted on for hearing on 27-9-51 at 12 noon

89) Notices have issued The file may be sent to the L S G. Officer

PA to
Hon'ble Sri L S G.)
25/9/51

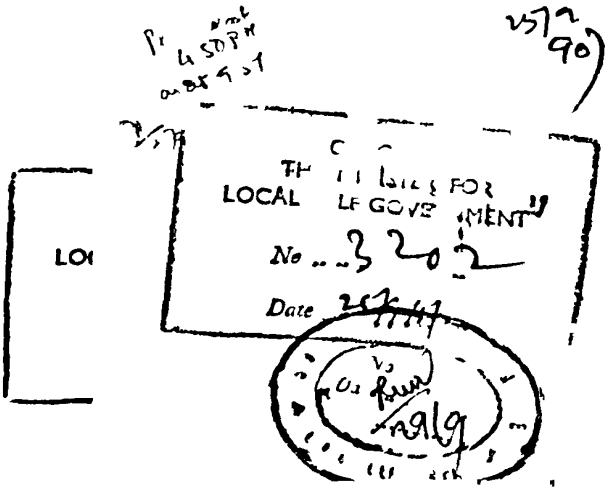
25/9/51

90) The case is adjourned to 19/10/51 (2 P M) Parties informed

25/9/51

28/9

29/9 Issued with my memo dated



5834/D

Reference to Sri S A Venkataramanaraja
for Recovery of Power Rates Bills

To

1) Sri B V Ramanuja Advocate

2) " A Bheemappa Advocate

3) " A Venkataramana Reddy

4) " Sri C Veeshnamurthy &
Sri V Balarathnam Advocates

No L 6896-99 Dt 1.11.91

Issues notice of hearing

91) The file may be sent to
the P A of the Hon'ble L S G Minister

for
3/12/91
Encl
3/12

P A to the
Hon Minister
for L S G

3/12/91

OFFICE OF
THE MINISTER FOR
LOCAL SELF GOVERNMENT

No
A 15 5/12/91

B. Bheemappa Nak B.A. M.L.A.
PRESIDENT
TOWN MUNICIPAL COUNCIL
&
Advocate

REVENUE SECRETARIAT
4381
11 OCT 1951
UTTARA KANNADA

CHITALDROOG
Date 5th Octr 1951

3534
A 12/51
Tr 4/10

To

The Secretary,
Local Self Government Department,
In Mysore Bangalore,
Bangalore

8/10

8779

With reference to your letter No L 6896-99 dated 1-10-1951 adjourning the case of Sri B N Hemanna and others to 19th October 1951, I beg to state that I had requested the Hon'ble Minister for Local Self Government to post the case for any date between 24th October to 6 th November 51 The case is now posted to 19th instant Since I am laying the Foundation Stone of " ANJUMAN ITHADEL " Building at Chitaldrug on 19th October 51 I will be unable to be at Bangalore on that date I request you to kindly post the case to any date between 24th October 51 to 6th November 51

Yours Faithfully,

Advocate for
the Petitioner,

14-10-51
Put up the file

9/2 The Main file bearing D No 3834/- was sent to the P A to the Minister for L-S Govt on 10-51, as the Case was posted for hearing on 19-10-51 the P A to the Minister for L-S Govt will be requested to return the file early

Submitted 13/10/51

P A to
the Hon'ble Min for L S G
13/10

4387 re License to Sri A Venkatarama Narasimha Rajan for Running a Power Rolling Mill etc.,

93) The case is adjourned to 9-11-51. to be taken up at 2 p.m. the parties may be intimated

Office of the Mr for Local Government
No 3491
Date 13/X/51

Rec 22/10/51

Rec 22/10

Issue 22/10

94) Draft notice - to print up for appl

Issue 23/10

Submd 22/10/51

Sd 23/X/57

To

Sri N Hemanna and others
" A Bhimappa Naik
" A Venkata ramana rajan,
" V K Krishnamurthy
and Basavaraj
.. Lr 8034-b, dated 26.10.1957
Notice regarding hearing

95) Orders will now be sent to the office of the Tr Commissioner for L S G

(Submd 27/10/57 12 o P A to Minister now)

Rec 6/11/57

96) Adjourned to 20-2-52 at 2 P.M. Parties may be intimated

Rec 5/2/58

OFFICE OF THE MINISTER FOR LOCAL SELF-GOVERNMENT
No 5979
Date 30/10/51

4381/52

Licence to Sri M Venkatāramana Reddy for Running the power Rolling mills

To

1) Sri B N Atmanna and others
No 43 - Sri Rangasamy Temple Street, B'lore

2) Sri A Bheemappa Naik, Advocate Chitradurg

3) Sri A Venkatārāmanareddy, B Sec
No 44 - Sri Rangasamy Temple Street B'lore

4) Sri yeshas V Krishnamurthy and V Balaratnam Advocates, B'lore

No L 12888-81 dated 11 2 1952 reforcus that the case is posted for hearing on 20 2 1952 at 2 P M

97) The file may be "Referred" to the Personal Assistant to the Advocate General for L & G.

Case 12/2/52

OFFICE OF THE MINISTER FOR LOCAL SELF GOVERNMENT
No 6071
Date 12/2/52

Personal Asst to the Honourable Minister for L S G

98) 12/2/52

99) The case is adjourned to 10-3-52 (at 3 P M)

20/2/52

21/2

21/2

4381/sd

License to Sri A Venkataramanaraju for running a power Roller Mill

---

To

1) Sri B N Ramanna and others,
No 43 Sri Rangasamy Temple Street B'lore

2) Sri A Bhermappa work Advocate
Chalidrug

3) Sri S A Venkataramanaraju, B Sc
No 44 Sri Rangasamy Temple Street, B'lore

4) Sri yelleds V. Krishnamurthy son of
Balaratnam, Advocate, B'lore

No L 140440 dated 27 2 52

Issues hearing notices

100) The file may now be referred to the personal Assistant to the Hon'ble L S G Minister

Ans 28/2/52

P A to the Hon'ble Minister for L S G

101) SM 28/2/52

OFFICE OF
THE MINISTER FOR
LOCAL SELF GOVERNMENT
No 6289
Date 28/2/52

102) This case is adjourned to 17-3-52 at 2 P M to be taken up

10/3/52

103) I have heard the counsel for the petitioner & the counsel for the respondent was not present inspite of the fact the case is posted for orders 11/3/52.

Serial No 104

I heard the learned Counsel for the petitioner & neither the Counsel nor the respondent appeared on this date despite the due notice issued on both the parties. As this is a long pending case I decided to dispose of the case. As regards the merits of the case, there are not any fresh points raised by the Counsel for the petitioner who argued the case other than the points which I had observed during the course of my spot inspection on 10-4-50. I do not propose to make any observation on the merits of the case at this stage since the case is pending before a Federal Court. But I do feel that no useful purpose will be served by the stay order obtained by the petitioner. The stay order issued by me as a decision on the merits of the case should not be taken because it is subordinate though I have made some observation after spot inspection that the decision of the Court may be awaited, the stay order issued by me I feel, should not continue for an indefinite time more on the ground that some other Court of which I am not concerned has not taken a decision. I think

NOTE—Co tn Sheet

File No 4381/m() J 8305 J 830 (239 of 19 General and Revenue Secretariat

Serial No

Hence the authority which has issued the stay order has also got the power to revoke the same For the foregoing reasons I order that the stay order issued by the Appeal may be withdrawn with a clear intimation that the withdrawal will not in any way prejudice the decision of the case pending before a competent Judicial Court

Rwd 21/3

Sd/- 18/3/52

Sd/- 21/3

Sd/- 21/3

Off order as put up for appeal

13805 -713,

Sd/- 27/3/52

Sd/- 27/3/52

Sd/- 27/3

Issue

Sd/- 28/3

Sd/- 28/3

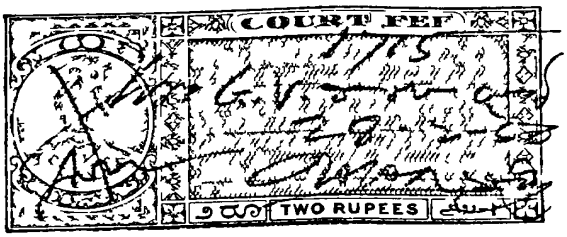
B.

So

The counsel for the civil side of the Govt

Sri N Hemanna Pothels Hon the counsel for A Bheemappa Naik & Venkataramanna Reddy

L 15652m-4/C M. 90 S. 3



~~In the Court of~~
Before the Minister for Local Self Govt

This per No OF 1949 —1950

Appellant Plaintiff *Respondent Defendant*

Venkatavamana Rayu | Vs | Commissioner Bangalore Municipal Corporation

G V Ramachar BA LLB Advocate

1 The Petitioner above named do by these presents G V Ramachar BA LLB Advocate retain to appear and conduct the above case on my behalf to judgment

2 I further empower him to do all necessary acts in the above case to execute any decree or order that may be passed in my behalf and to receive from the Court all documents refunds and all sums of money that I may be entitled to get and grant receipts therefor

3 I also undertake to confirm and ratify all the acts done by the said Advocate or any other Advocate on his behalf in so doing

Sd Venkatavamana Rayu

19

Personally known to me and signed in my presence ACCEPTED G V Ramachar
Advocate for Petr

G V R

Advocate for

Sold by Vidya Sagara Book Depot Chikpet Bangalore City

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

No L 9759

General and Revenue Secretariat

Dated Bangalore 17/3/ 1950

ENDORSEMENT

Granted to Sri Venkataramanaraju, B.Sc ,
No 44, Ranga-swamy Temple Street, Bangalore City,
through the counsel Sri G V Ramachar, B A ,II B
Advocate, Bangalore City

With reference to his petitions dated 27th February 1950 appealing against the orders of the Commissioner of the Corporation regarding discontinuance of the working of the Factory of Power Rolling Mills in the above premises, he is informed that the matter is stayed, pending disposal of the case

By Order,

for I/S G Secretary to Government

sr/2

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

No L 9759

General and Revenue Secretariat

Dated Bangalore 17/3/ 1950

ENDORSEMENT

Granted to Sri Venkataramanaraju, B.Sc ,
No 44, Ranga-swamy Temple Street, Bangalore City,
through the counsel Sri G V Ramachar, B A ,II B
Advocate, Bangalore City

With reference to his petitions dated 27th February 1950 appealing against the orders of the Commissioner of the Corporation regarding discontinuance of the working of the Factory of Power Rolling Mills in the above premises, he is informed that the matter is stayed, pending disposal of the case

By Order,

L S G Secretary to Government

sr/2

No 4 9758/59
Dt 17 3-60

The Commissioner, Corporation
of the City of Bangalore
(thro' the Mayor)

Sir,

I am directed to forward herewith a petition (in original) dated 27 2 60 from Sri Venkataramanarajan, B Sc, 44, Ranganswamy Garden Street, Bangalore, to the Factory of Power Rolling mills in the above premises, and to state that the matter mentioned may be stayed, pending disposal of this case after Spot inspection. The petition may kindly be returned with the report.

Yours faithfully,

for Secretary to Govt
L I & Dept

through Shri Counsel Sri G V Ramachar

Order of Commissioner The Corporation to inspection

9759
17-3-50

Endorsement granted to

Sri Venkatarasimharaja, B.Sc.,
No 44, Ranga Swamy
Temple Street,
Bangalore City.

Through the ~~Counsel~~ Sri G V
Counsel Ramachar, B.A.L.L.B.,

with reference to his
petitions dated 27-2-50 ~~against~~
against the ~~Order~~ ~~Request~~ to ~~Grant~~ The Factory & Power
Grant ~~Request~~ Rolling mills in the above
re direction ~~Request~~
memorandum, he is informed
that the matter is stayed,
pending disposal of the
case

By order,

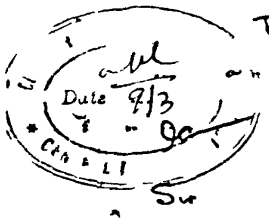
for Secy to Govt
Mr L S Cs Dept

S A Venkatarama Raju BSc

44 RANGASWAMY TEMPLE STREET
BANGALORE CITY

Date 9-3 1950

To



The Secretary to the Government of Mysore
L S G Department
Bangalore

Sir

With reference to your letter No L 9469 dated 6 3 50 directing me to send a Copy of the notice issued by the Commissioner Corporation of Bangalore city directing me to stop the work of my factory I beg to bring to your kind notice that the Copy of the same was presented before your honour through my legal practioner on 6 3 50 for kind perusal

Further I request you kindly to stay the orders passed by the Commissioner of Bangalore city Corporation and I may kindly be allowed to run my factory as usual without undergoing irreparable loss for which act of kindness I shall ever remain grateful to you

Yours faithfully
S A Venkatarama Raju
9 3 50

Bangalore City Municipality -

Form of License issued under the Bye-laws of the Bangalore City Municipality framed under Section 51 (1) (B)(V11) of the Mysore City municipalities Act

L lo 187 of 49/50

This License is granted to (Name and Address) Sri S A Venkata Rama Raju No 44, Rangaswamy Temple Street 2nd Division for the use of Ten Horse Power for the purpose of installing an electric Motor for Power Rolling Mill

This license will expire on the 30th June 1950

It is subject to the conditions set forth hereunder and the byre-laws and rules framed by the municipality under the Mysore City municipalities Act Failing to observe any of these conditions will entail cancellation of the license and closure of the trade

Fee paid Rs 10/- on 26/8-8-49

Sd/- Venkatachalam
For municipal Commissioner

Bangalore City
Dated 12-8-1949

Office of the Commissioner
Corporation of the City of Bangalore

No A o P R 47 of 49/50 Bangalore, dated the 10th Feb 1950

Notice

The undersigned is satisfied that the working of the Factory of Powe rolling mills in premises No 44 Rangaswamy Temple Street 11 Division Bangalore City using 10 H P electric motor is a nuisance to the persons in the neighbourhood on account of the noise and vibration generated in the course of the work Sri S A Venkataramaraju, Proprietor of the said factory who was required to replace the 10 H P Electric motor by 2 H P Electric motor in this office order No A6 2920/49/50 dated 6-10-49 has not carried out the instructions given upto this date He is therefore - directed to discontinue the working of the factory using 10 H P Electric Motor within 15 days of the receipt of this notice failing which action will be taken against him under Section 301 of the City of Bangalore Municipal Corporation Act 1949

Sd/- George Mathan
Commissioner

G R S App F G 3

GENERAL AND REVENUE SECRETARIAT

(*Continuation sheet draft form*)

No h 191 A 6 4 50

2 cys

To

The Commissioner,
Corporation of the city
of Bangalore
(Thro' the Mayor)

Sir,

In continuation of
This office letter no L 9758/49
17 3 50, calling for a report
on the petition of Sri Venkatesa
narayan, B Sc, etc, Ranga
Swamy Temple Street in
Regard to the discontinuance
of the working of the Factory
of Power Rolling Mills in the
above Premises, I am
directed to State that the
Minister for Local Self-
Government ~~proposes to~~ will
inspect the above Spot on
10th April 1950 in the morning
I am ~~asked~~ to request You to be
So good as to be present
at the time of inspection

WD 06819—GPB—25 000—26 7 49

P T O

above
the fact (also) may
be intimated to the parties
concerned ~~in their behalf~~

Yours faithfully,
for
for Secretary to Government,
in L S G Department

XXXXXXXXXXXXXXXXXXXXXXXXX

L 191

6 4 50

Bangalore,
XXXXXXXXXXXXXXXXXXXXXXXXXXX
L & G Department, Bangalore

To

The Commissioner,
Corporation of the City of Bangalore,
(through the Mayor)

Sir,

In continuation of this office letter No L 9758 dated 17th March 1950, calling for a report on the petition of Sri Venkataramanaraju, B Sc , 44 Rangaswamy Temple Street in regard to the discontinuance of the working of the factory of power Rolling Mills in the above premises, I am directed to state that the Minister for Local Self Government will inspect the above spot on 10th April 1950 in the morning I am to request you to be so good as to be present at the time of inspection

The above fact may also be intimated to the parties

No. L. 192-3
Dt. 6/4/80

1) Sri Venkataramanarayan, BSc,
No 44, Ranga Swamy
Temple Street, Bhuing
(Rtd the Counsel
Sri G V Rama char
BA LLB,
Advocate,
Bangalore city

2) Sri B S. Shivaram,
No 45, Ranga Swamy
Temple Street
Bangalore city

Sir,

~~I am directed to~~
~~state that~~ In continuation
of this Office letter nos L 946/79
6 3 80 and 6573/79 6 1 80
in regard to the Factory of

Paper Rolling Mills in the ~~above~~ Premises, 2044, Ranganswamy sample stages I am directed to state that the Minister for ~~Industries &~~ Local Self-Government will ~~proposes to~~ inspect the spot on 10.45 in the morning and to request you to be present ~~at~~ the spot at the time of the inspection

Yours faithfully
for
Secy to Govt
Mr. L S G Dept

GOVERNMENT OF HIS ~~HIGHNESS~~ THE ~~MAHARAJA~~ OF MYSORE

No L 192-3 General and Revenue Secretariat

Dated Bangalore 6-4-1950

FROM

The Secretary to the Government of Mysore,
~~His Highness the Maharaja of Mysore~~
L S G Department, Bangalore.

In continuation of this office letter Nos L 9469 dated March '50 and 6573 dated 6th January 1950 in regard to the factory of Power Rolling Mills in the premises, No 44, Ranganathan Temple street, I am directed to state that the Minister for Local Self Government will inspect the spot on 10th April 1950 in the morning and to request you to be present at the spot at the time of the inspection

Yours faithfully,

for L S G Secretary to Government

h 1116 dt 27 4 50

To.

The Commissioner,
Corporation of the
city of Bangalore

Sir,

I am directed to ~~forward~~ invite Reference to this office letter no h9758 of 17 3 50 calling for a report on the petition of Sri Venkatarama Rangaswamy Temple Street, Bangalore, protesting against ~~the~~ your order ~~of the Commissioner, Corporation of the city of~~

~~Bangalore~~ to discontinue the working of the Factory of Iron Rolling Mills at the place, and to request you to send the report immediately.

Yours faithfully

HM 26/11/50

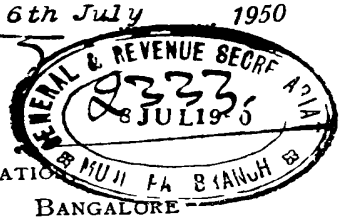
for Secy to Govt.
in L & S Govt Depts.

CORPORATION OF THE CITY OF BANGALORE

CORPORATION OFFICES,
BANGALORE

No A 6-47/49-50.
Encl (petition)

Dated 6th July 1950



FROM

MIR SAFDAR HUSSAIN Esq B A,
COMMISSIONER BANGALORE CORPORATION
BANGALORE

To

The Secretary to the Government of Mysore,
Local Self-Government Department,
B A N G a L O R E

SIR

Subject - Issue of license to
Sri S A Venkataramaraju, for
running a 10 H P motor at No 44,
Rangaswamy Temple Street

With reference to the correspondence ending with the D O letter No L 3652 dated the 3rd July 1950, regarding the above subject, I furnish below the report called for in your letter No L 9758 dated the 17th March 1950

Sri S A Venkataramaraju was given a Municipal license for running a 10 H P electric motor at No 44, Rangaswamy Temple Street for 1949 - 50 Since there was a complaint from the surrounding inhabitants regarding the vibration and sound nuisance, the place was inspected by the then Commissioner and he ordered to modify the licensee by having a 2 H P motor in place of the existing 10 H P motor so as to avert the above nuisance complained of, in October 1949 The party Sri S A Venkataramaraju was therefore written and asked to instal a 2 H P motor instead of the existing 10 H P motor The aforesaid Sri Venkataramaraju failed to comply with the above request and made a representation to the Chairman, Health Committee to kindly allow him to continue to have the 10 H P motor only as the replacement of a 2 H P motor would result in a serious loss to him This was placed before the Health Committee meeting

P T O

held on the 14th October 1949 and was deferred for inspection In the meanwhile a further resolution was passed by the Health Committee dated the 27th October 1949 resolving that the matter might be referred to the Council, for disposal The matter came up before the Council meeting held on the 6th December 1949 and was deferred As in the meanwhile a memorial signed by prominent persons of that locality and addressed to the Government protesting against the grant of license, was received ~~Dgrrs~~, Sri Venkataramaraju was finally served with a notice asking him to close the factory forthwith, after the place was inspected by the Commissioner, the Health Officer and the Corporation Engineer The party failed to comply with the terms of the notice He was therefore prosecuted on the 6th March 1950 under section 301 and 376 of the Corporation Act - in C C No 60/50-51 Since a stay order was issued by the I Munsiff of Bangalore, the prosecution pending against him was withdrawn

The petition of Sri S A Venkataramaraju is herewith returned

Yours faithfully

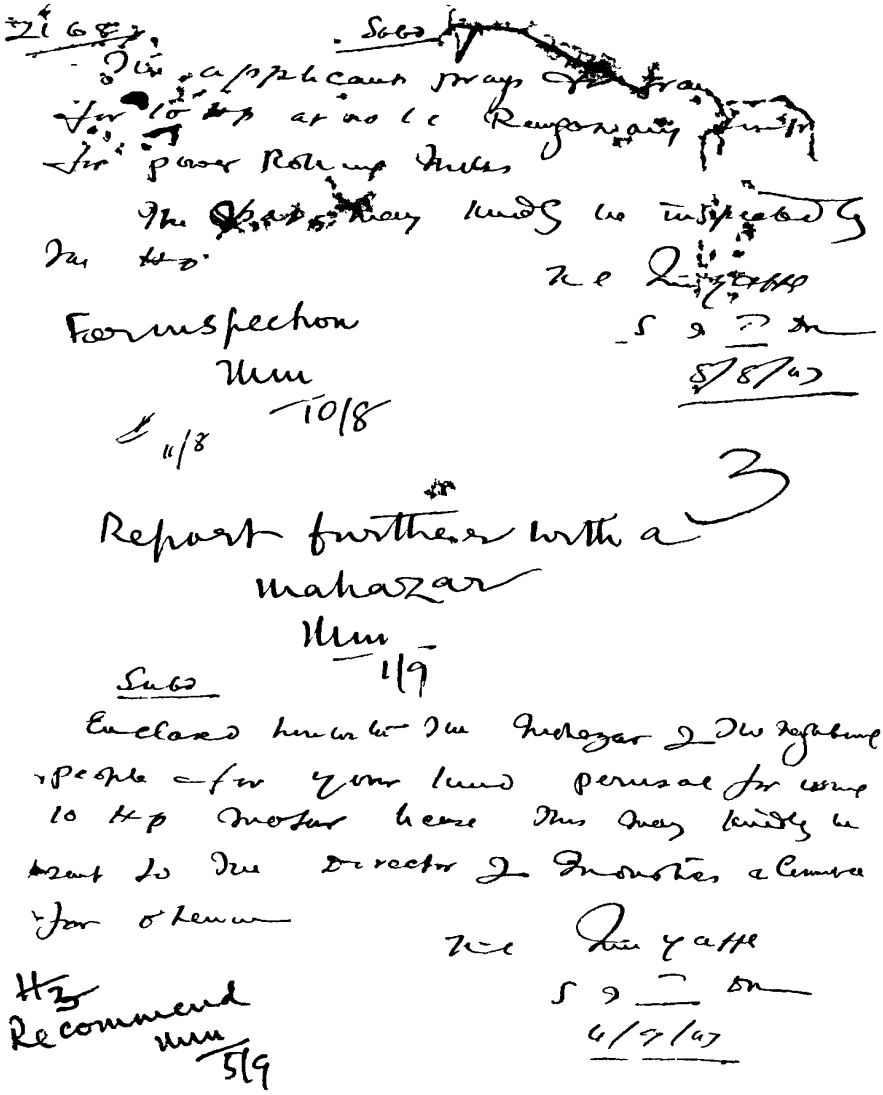
Forwarded with compliments

N Keshavaiengar

MAYOR

COMMISSIONER

MVL
6-7-50



Narasima Raju BSc
44 RANGASWAMY TEMPLE STREE
BANGALORE

Date 4th August 194

To

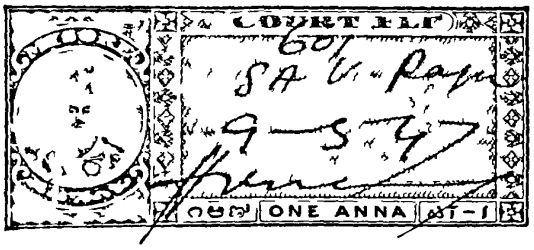
The Health Officer,
City Municipality
Bangalore City

Dear Sir,

I am an unemployed graduate of Mysore University intending to raise a small [illegible] As the benign Government had published i such graduates would be encouraged th[illegible] the required facilities, I request that I may be encouraged by providing me with a Municipal License to install a 10 H P Power Rolling Mill at the premises of Municipal Door No 44, Ranga-swami Temple Street Bangalore City The building is sound for fitting of such a machinery

I hope my request will be granted at an early date

Yours faithfully
S A Venkataramana Raju



60/
S A V. Raju
9-5-47

S9 11
Mun 4/5 5/8
Hosk

2468
4 8 47

P To

OF
FOR
LOCAL GOVERNMENT
No 2325
Date 14/3/51

GENERAL SECRETARIAT
8409
9 MAR 1951
MUNICIPAL BRANCH

To

The Honourable Minister
for Local-Self Government,
Bangalore

Sir,

Petitioners B N Hemanna & others

Subject - Re No L 9759 Endorsement granted to Sri Venkataramana Raju, entertaining his petition against the orders of Commissioner of the Corporation of Bangalore, regarding discontinuance of the factory of power rolling mills, in the premises No 44, Rangaswamy Temple Street, Bangalore City and the stay order passed thereon

This case pending for a long time the Commissioner Corporation may be requested to send his opinion immediately

We the above mentioned petitioners beg leave to invite favour of reference to your assurance given to us on 9th February 1951 when we had presented a petition to you in person stating that on receipt of the connected records, you would be pleased to cancel the stay order granted to Sri S Venkataramana Raju who was, under orders of the Commissioner of the Corporation of Bangalore City, asked not to run the Mill in his residence No 44, Rangaswamy Temple Street, Bangalore City as it would cause ~~disturbance~~ nuisance to the neighbours and weaken the walls of the adjacent Buildings due to vibration

1413

Send a DO reminder for forwarding the records immediately

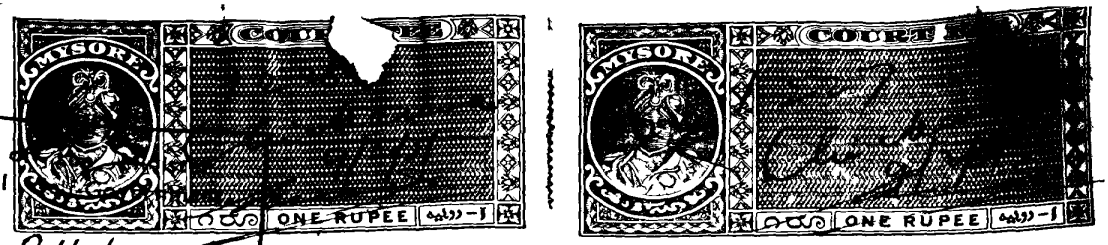
We had interviewed the Commissioner of the Corporation of Bangalore City, as directed by you requesting him to send the connected records for your orders So far no action seems to have been taken eventhough nearly a month has elapsed

Hence we fervently pray that you may be pleased to call for the records immediately and grant us relief as the situation has become worse day by day and we can no longer remain in the locality with any mental peace

We remain,
Sir,
Yours faithfully,

Bangalore,
Dated 9th March 1951

B N Hemanna
B N Ramakrishnaiah



No 2441
Late

94

THE MINISTER FOR LOCAL SELF GOVERNMENT
BANGALORE

Corporation commissioner for a report
9/2/51

Re No L 3753- Endorsement granted to Sri Venkataramanaraju, entertaining his petetion against the orders of the Commissioner of the Corporation of Bangalore, regarding discontinuance of the factory of power rolling mills, in the premises no 44, Rangaswamy temple street, Bangalore and the stay order passed thereon -

Hepl 3676/50
27 FEB 1951

PETETIONERS -

1) B N Hemanna
2) B N Chikkanna
3) L C Mehta
4) Mohan Naidu

Petetioners residents in premises No 43, Rangaswamy temple street, Bangalore city

1) In between this said premises is the premises no 44, Ranga-
24 FEB 1951
swamy temple street, Bangalore city where in one S A Venkataramana Raju has been running a 10 H P motor and has constructed an oven for purposes of melting and heating metals He is running a factory of power rolling mills and he obtained a liscense for running the same by making it appear falsely that the residents of the locality had no objection for the grant of the same

2) The signatories are persons who are interested in the said Venkataramana Raju and whose houses are far away from said Venkataramanaraju's premises

3) When the noise from the factory became a nuisance and when the vibrations from the running of the machines etc , became so intense that the walls of the neighbouring houses came to be cracked, that the petetioners approached the then municipal

Commissioner of the corporation Mr George Mathan, to inspect the spot and issued directions under section 301 of the corporation act to the said Venkataramana Raju to discontinue the running of the factory at the said premises which is in the midst of a densely populated residentioal locality in heart of the old city He was pleased to do so and after satisfying himself in this (The health officer also concurred)that the user by the said Venkataramanaraju of 10 H P electric motor is a nuisance to the neighbourers on account of the noise and vibration and cancelled the liscence granted to him He thereupon appears to have approached the Government and has been successful in obtaining from the Government an order for stay on 17-3-1949 and continued to run the factory Consequent on the stay order the prosecutionproceedings started against the said Venkataramana Raju by the Municipal corporation were withdrawn and said Venkataramanaraju for nearly one year since, has been running the factory The injury to the petetioners has been of a recurring kind and the petetioners, who were expecting the Government to pass orders affirming the commissioner's orders at a quick date have been disillusioned

4) The memorialists approached the then Hon Minister for Local self Government during his visit with the presidamt, vice president,commissioner and Health officer to that division on 1 -10-1949 when on the representation of the residents, he was pleased to confirm the order of the commissioner and the Health officer in cancelling the liscence, to avoid inconvieniances to the people of that locality But unfortunately, no action has been taken to prevent the party from running the mill by the corporation, though the matter was represented to the Hon

96

Hon Minister on the very spot

5) After submitting a detailed memorial on 15-12-49, to the then Hon Minister, we were given to understand that he had passed orders to the effect that they are running of the I C E P motor factory is a nuisance and that it should be discontinued

6) As we could not put up with the reverberating sound and the nuisance caused, we were obliged to seek immediate relief through the 1st Munsiff court and accordingly orders of injunction was passed by the court on 16th February 1950 before the stay order was passed by the Hon Minister on 17th March 1950 This matter also has been brought to the kind notice of the Hon Minister during his inspection on 10th April 1950

7) They have therefore approached the Government by means of this formal petetion and submit that Government may be pleased to grant them relief even at this late stage, by dismissing the appeal of the said Venkataramanaraju and thereby dissolving the ~~stay~~ stay order

8) Hence the petetioners, pray for early orders before further injury is inflicted

PETETIONERS

Bangalore
Dated 9th Febreury 1951-

B N Ramamma
B N Hemamma

Memo no 12035, dt 22/2/51,
forwarded with compliments to the Commissioner, Corporation of the city of Bangalore (Shri M. Mayaji Rao) for a report, in the matter. This may be kindly returned immediately by express.

By order,
M Srinivasalu Naidu
for Secretary to Government,
Local Self Govt Department

W/C to the Commr
Reply may be sent early
RR 23/2

Appendix F G —1]

SUBJECT

Section

File No

Serial No

Diary No of letter replied to

No

To

Publicity Office

( )

the 194

Dear Sir

Date of issue

I am directed to invite reference to this office letter No L 12035 dated 22-2-51 and the subsequent reminder dated 12-3-51 calling for report on the petition of Sri B N Venkatarama and Mrs, Rangaswamy temple Street, praying against the grant of licence to Sri Venkataramana Rajeo for a power Rolling mill as to request that a reply thereto may be sent immediately as the matter has been pending from a very long time

Signed by

By S

MS

20/3

List of enclosures

Copied by

To

The Collector, Coorg

Mercara

Examined by

WD 01000—GPB—2000—9 1 48

CORPORATION OF THE CITY OF BANGALORE

No A6 P R 47/49-50
Enclosure file

CORPORATION OFFICES
BANGALORE

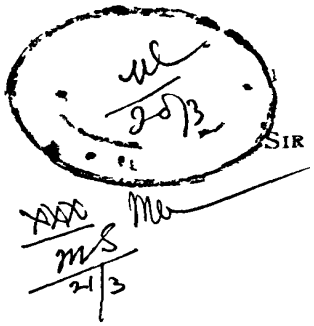
Dated 20th March 1951

FROM

MIR SAFDAR HUSSAIN Esq B A
COMMISSIONER BANGALORE CORPORATION
BANGALORE

To

The Secretary to the Government of Mysore,
Local Self-Government Department
BANGALORE



SIR

Subject - LICENSE TO Sri S A VENKATARAMARAJU FOR RUNNING POWER ROLLING MILLS OF 10 H.P. ELECTRIC MOTOR AT No 44, RANGAS WAMY TEMPLE STREET

With reference to your Memo No L 12035 dated 22-2-1951 calling for a report on the petition of Sri B N Hemanna and others complaining against the working of power rolling mills in the above premises, I enclose herewith the entire file of records relating to the above subject, along with report No L C 711/50-51 dated 15-3-1951 from the Health Officer, Corporation of Bangalore, in the matter The records may kindly be returned after perusal

The original petition received with your memo under reference is also herewith returned

Forwarded with compliments

R Nanjundaswamy
MAYOR

rs/

Yours faithfully,

COMMISSIONER

Appendix F G—1]

SUBJECT License to Sri S A Venkatasama Raju for running power Rolling Mills of 10 H P Electric Motor at no 44 Ranga Swamy temple Street

Section

File No

Serial No

No 1/13099

To 29 3 51

Diary No of letter replied to

The 1st Munsiff
Bangalore

General and Revenue Secretariat

( )

the 19

Sir

I am directed to request you kindly to intimate the date and the result of the above case

Sri S A Venkatasama Raju for running power Rolling Mill of 10 H P Electric motor at no 44 Ranga Swamy temple Street if it was been disposed of

An early reply in the matter is highly appreciated

Your faithfully
yrs
28/3
C R S-Secy to Govt
28/3

Date of issue

Signed by

List of enclosures

Copied by

Examined by

WD 010850—GPB- 25 000—17 7 50

The First Munsiff,
Bangalore

The Secretary To the Government of
Mysore Local Self Govt
Department
Bangalore

No 1387 Dated 30-3-51

Sir

With reference to your letter No I 18099 dated 29-3-51 I write to state that the original suits 5 55 /49-50 and 577/49-50 have not been disposed of and both the records have been submitted to the District Judge's court Bangalore for reference in A 100/50-51 on the file of that court

8605

Yours faithfully,

First Munsiff

L 13099 — 99 3 51

The First Munsiff,
Bangalore

Subject License to Sri S A Venkatarama Rau for running power rolling Mills of 10 H P Electric Motor at No 44 , Rangasvamy Temple Street

=====

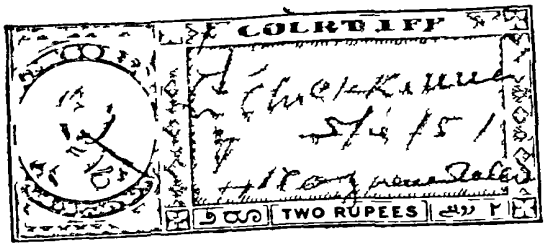
I am directed to request you kindly to intimate the result in the above case if it has been disposed of

An early reply in the matter is highly appreciated

Yours faithfully,

for L S G Secretary to Government

knr/2-28 3 51



In the Court of the [illegible]
At BANGALORE

Suit No of 19 -19

PLAINTIFF / APPELLANT PETITIONER / COMPLAINANT		DEFENDANT / RESPONDENT COUNTER PETITIONER/ACCUSED
B N Hemanna Thru Blue-	Vs	Smt S A Venkatachalamma Thru Blue

I Sri Hemanna Chikkanna do hereby appoint and retain Mr A Bheemappa Naik Advocate Chintamani

to appear for me in the above suit/ appeal/Original / Miscellaneous petition and to conduct and prosecute (or defend) the same and all proceedings that may be taken in respect of any application for execution of any decree or order passed therein I empower my Advocate to appear in all miscellaneous proceedings in the above suit or matter till all decrees or orders are fully satisfied or adjusted and to obtain the return of documents and draw any money that might be payable to me in the said suit or matter

B N Hemanna
B N Chikkanna

Accepted

A Bheemappa Naik

Advocate

Personally known to me and signed in my presence

A Bheemappa Naik

Dated 5/4/ 1957 Advocate

Sreedevi Power Press, B City

No 24956

SRS
Bglre Dy 21 4

Notice

Petitioner

Sri B N Hemanna
and Others
(Sri yuts B N Chikkanna
L C Mella-
Madan Naidu)

Counsel for Petitioners

Sri S A Venkatasama-
Raju
Bsc
No 44 Ranga Swamy
Temple Street B'lore

Counsel for
Sri A Bheemappa Naik
advocate Chitaldrug

U/S

Subject - Licence to Sri S A Venkatasama Raju
for Increase power Rating Mills
of 10 H P Electric Motor at No 44
Ranga Swamy Temple Street

It is hereby informed that the above Case
will be heard by the Hon'ble Munsif - for L S Gas at
2 P M on 27 4 51 in his Chambers Old
Public Offices B'lore. They are requested to be
present well in time

By Order
[illegible]
20/4
for Asst Sessions Judge

PTO

21
20/4

Memo no 2 +97

GOVERNMENT OF MYSORE

No L 495 -6

General & Revenue Secretariat,
Bangalore, dated 21st April 1951

N O T I C E

PETITIONER

Sri B N Hemanna and others (Sri B N Chikkanna, L C Venka and Mohan Naidu) thro' his Counsel Sri A Bheemappa Naik, B A , Advocate, Chitaldrug

Vs

COUNTER PETITIONER

Sri S A Venkataramana Raju, B Sc , No 44, Sri Rangaswami Temple Street, Bangalore.

Subject Licence to Sri S A Venkataramana Raju for running power Rolling Mills of 10 H P Electric Motor at No 44 Sri Rangaswami Temple Street, Bangalore

---

It is hereby informed that the above case will be heard by the Hon'ble the Minister for Local Self-Government at 2 P M on 27th April 1951 in Chambers, Old Public Offices, Bangalore They are requested to be present well in time

By order,

M Srinivasulu Naidu

I S G Secretary to Government

GOVERNMENT OF MYSORE

No L 498 -6

General & Revenue Secretariat,
Bangalore, dated 21st April 1951

NOTICE

PETITIONER

Sri B [illegible] Hemanna and others (Shts P I Chikkanna, I C [illegible]ka and Mohan Naidu) thro' his Counsel Sri A Dheemanna Naik, B [illegible], Advocate, Chitaldrug

VS

COUNTER PETITIONER

[illegible] S A Venkataramana Raju, B Sc, No 44, Sri Rangaswami Temple Street, Bangalore

---

Subject License to Sri S A Venkataramana Raju for running power Rolling Mills of 10 H P Electric Motor at No 44 Sri Rangaswami Temple Street, Bangalore

---

It is hereby informed that the above case will be heard by the Hon'ble the Minister for Local Self-Government at 2 P M on 27th April 1951 in his Chambers, Old Public Offices, Bangalore. They are requested to be present well in time

By order,

Sd M S Swaminathan

L S G Secretary to Government

Memo No L 497

Copy of the above is forwarded, with compliments to the Commissioner, Corporation of the City of Bangalore for information with reference to his letter No A6 P P 47/49-50 dated 20th March 1951

By order,

M Srinivasa Reddy

L S G Secretary to Government

knr-6/21 4 51

COVERNMENT OF MYSORE

No L 495-6

General & Revenue Secretariat,
Bangalore, dated 21st April 1951

N O T I C E

PETITIONER

Sri B N Hemanna and others (Sri's B V Chikkanna, L C Metha and Mohan Naidu) thro' his Counsel Sri A Dheerappa Naik, B A, Advocate, Chitaldrug

VS

COUNTER PETITIONER

Sri S A Venkataramana Raju, B Sc, No 44, Sri Rangaswami Temple Street, Bangalore

---

Subject License to Sri S A Venkataramana Raju for running power Rolling Mills of 10 H P Electric Motor at No 44 Sri Rangaswami Temple Street, Bangalore

---

It is hereby informed that the above case will be heard by the Hon'ble Minister for Local Self-Government at 2 P M on 27th April 1951 in his Chambers, Old Public Offices, Bangalore. They are requested to be present all in time.

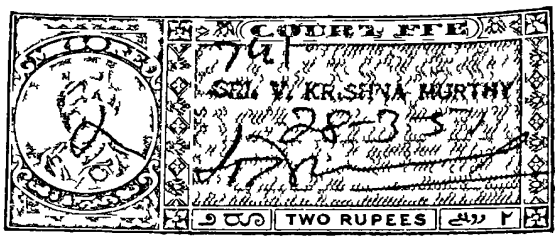
By order,

M Srinivasalu Naidu

L S G Secretary to Government

27/5/51

V Balaraltmaan
A V
8 SUBEDAR CHA AM
BANGALORE CTY



In the Court of Hon'ble Minister for Local Self Govt

No **of 19 —19**

Plaintiff/Appellant Petitioner Decree Holder		**Defendant/Respondent Judgment Debtor**
Hemanna Jothen	Vs	Sri Venkataramana Rayn

1 I/~~We~~ the Respondent above named do by these presents retain Messrs V Krishnamurthy and V Balarathnam Advocates 3 Subedar Chathram Rd B'alg *to appear and conduct the above case on my/our behalf to judgment*

27/4/51

2 I/We further empower him/them to appear plead file petitions enter into compromise and do all necessary acts in the above case to execute any decree or order that may be passed in my/our behalf to prefer an appeal from any order judgment and to receive from the Court all documents refunds and all sums of money that I/We may be entitled to get and grant receipts therefor

3 I/We also undertake to confirm and ratify all the acts done by any of the said Advocates or by any other Advocate or Pleader on his/their behalf in so doing

4 I/We further agree that if I/We fail to pay the fees agreed upon or to give due instructions at proper stages he/they are at liberty to retire from the case and recover all dues due to them

Sd Venkataramana Rayn

Bangalore City }
19 }

P lyk wnt m d g d nmyp n

kn V Balarathnam

Advocate

Accepted

V Krishnamurthy
V Balarathnam

Advocates for Respondent

27/5/51

F m b h d f —Th L g l P tt C p tv S ty Ltd B g l

Govt of Mysore

S R S
B'lore

No. L 10303
4 5 51

Notice

Petitioner

Sri B N Hemanna
and Others
(Subject - B N Chikkanna
& c Mekla-
dasan Naidu)
their Counsel
Sri A Bheemappa Naik
Advocate - Chitaldrug

Counter-petitioner

Sri S D Venkatesamana
Rajn Bhe Co.
No 64, Sri Ranga Swami
Temple Street B'lore
their Counsel
Messrs V Krishna Murthy
and V Balarathnam
Advocates - B'lore

Subject - Licence to Sri S D Venkatesamana
Rajn
for running power Rolling Mills
of 10 H P Electric Motor at no 64
Sri Ranga Swami Temple Street B'lore

It is hereby informed that the above Case
is adjourned to 15-5-51 at 2 p m for
hearing by the H'ble Mr. Justice for L S S in his
Chambers, Old public Offices B'lore

By Order

MS
15
1 L S & Secy to Govt
DS
15

COPY / TYPED COPY

No L.(0305) General & Revenue Secretariat, Lalbag, Bangalore, the 4 May 1951.

NOTICE

PETITIONER

Sri B N Ramanna & Others (Sriyuts: B N Chickanna, L C Mehta and others said) thro' his counsel Sri A. Anni Appa Naik, L , Advocate, C i ld u

VS

RESPONDENT

Sri S A Venkataramana Raju, B Sc., No. 44, Sri Ranganathaswami Temple Street, Bangalore Through his counsel M/s. V P Murthy and V Lakshmipathiram, Advocates, Bangalore

---

Sub - Licence to Sri S A Venkataramana Raju, for running power flouring Mills of 10 H.P. Electric Motor at No.44, Sri Ranganathaswami Temple Street, Bangalore

---

It is hereby informed that the above case is adjourned to 15th May 1951 at 2 P for hearing by the Hon'ble Minister for Local Self-Government in his Chambers, Old Public Offices, Bangalore.

By Order,

Sd/- M S Swaminathan,

L S G Secretary to Govt.

hac-2-516)
Memo No L/1034

Copy of the above, is forwarded, with compliments, to the Commissioner Corporation of the City of Bangalore, through the Mayor, for information,

By Order,

M Srinivasalu Naidu

for L S G Secretary to Government

Draft

C M-90-51-1.

OFFICE OF
THE MINISTER FOR
LOCAL SELF-GOVERNMENT
No 432
Date 30/5

GENERAL FILE
1556
31 MAY 1951
MUNICIPAL BRANCH

BEFORE THE HON'BLE MINISTER FOR LOCAL SELF GOVERNMENT

BANGALORE

Petitioners - Sri B I Hemanna and others

Vs

Counter-Petitioner - Sri S A Venkataramanaraju B Sc

M
25-5-51

STATEMENT OF THE CASE FILED BY THE COUNTER-PETITIONER SRI S A VENKATARAMANA RAJU

It is respectfully submitted as follows -

1 The counter-petitioner intended to start rolling mills driven by electric power For this purpose he purchased costly machinery in the first instance for Rs 20 000/- He applied for a license to the Bangalore City Municipality as it then was to run the machinery on a 10 H P engine He also applied simultaneously under the Factories Act for a license to run the Factory as rolling mills in No 44 Rangaswamy Temple Street Bangalore City Under the Factories Act and the Rules it is obligatory that the Inspector of Factories should make an inspection of the premises in which the machinery is proposed to be installed and also examine the neighbourhood with a view to find out whether the building which lodges the machinery is good for the purpose and whether the running of the factory will cause any disturbance to the neighbourhood The Inspector of Factories reported favourably upon inspection and stated that the Rangaswamy Temple Street was itself a business locality in which a number of high powered - factories are being run specially in the rolling mills and also in the production of lumeta There-

upon

Thereupon the Director of Industries and Commerce recommended to the Municipal Commissioner to issue a license The Municipal Commissioner also made a thorough inspection of the spot and being satisfied that with the counter-petitioner's building was safe to run the factory as proposed and there would be no nuisance to the neighbours issued a license in 1947 and it was renewed in 1948 and 1949 As the Electrical Department did not supply power till about July or August 1949 the counter-petitioner started running his factory in August 1949 This went on till 16 3 50 On 18 3 1950 one Sri B P Shivaramiah, a cousin and relation of the first two petitioners who owns the house immediately adjoining the counter-petitioner's factory premises on the western side instituted a suit in O S 555 of 49-50 Court of the First Munsiff Bangalore for an injunction to restrain the counter-petitioner from running his factory on a 10 H P motor on the ground that the vibrations were injurious to his premises and the noise and smoke produced were a nuisance to him and incommodaded is comfort He also applied for the issue of a temporary injunction and an ex parte order was made by the court of the Munsiff Against this order the counter-petitioner preferred an appeal to the District Court at Bangalore The District Court remanded the matter stating that the trial court should make an inspection and other materials before finally determining whether the temporary injunction ought to be dissolved or continued The counter-petitioner thereupon preferred a C R P in C R P No 46/ 50-51 in the High Court of Mysore This petition was heard by the Hon'ble the Chief Justice and in the course of hearing counsel for the said Shivaramiah and counsel for the counter-petitioner wanted to try whether the machinery could run with a 5 H P motor alone instead of a 10 H P motor

2 It may be mentioned that the petitioners now moving for the cancellation of the license to the counter-petitioner also filed a suit on 23 3 50 in O S 577 of 49-50 Court of the First Munsiff Bangalore In that suit the plaintiffs are the first two petitioners viz Sri Hemanna and Chickanna who are brothers They own a strong building immediately on the eastern side of the counter-petitioner's factory premises The other petitioners are their tenants living in portions of that house It happened that in O S 577 of 49-50 also a temporary injunction was asked for to restrain the counter-petitioner from running his factory with a 10 H P motor on the same grounds as in O S 578 of 49-50 narrated above But no temporary injunction order was made in the suit and that point was made clear by the same counsel who appeared for the plaintiffs in both the said suits

3 In C R P 46/50-51 as represented before the Hon'ble the Chief Justice counsel for the counter-petitioner and counsel for the other neighbour Sri B I Shivaramiah who had a temporary injunction in his favour inspected the spot on 11 7 1950 and subsequently on 20 7 1950 and in the presence of competent engineers ran the machinery of the counter-petitioner with a 5 H P motor instead of 10 H P motor Counsel for Sri Shivaramiah was satisfied that there were no vibrations to the building ~~xx~~ of Sri Shivaramiah or such noise as would interfere with the normal occupations of those remaining in Sri Shivaramiah's house Accordingly on 3 8 1950 a consent order was passed by the Hon'ble the Chief Justice to the effect that the counter-petitioner may run his factory on a 5 H P motor during the pendency of the suit As a matter of fact the counter-petitioner

is running his factory with only t is 1 P motor ot only that But the counter-petitioner has also amended his written statement and stated that he has no desire to annoy his neighbours and is quite prepared to run his factory with only a 5 H P Motor That is how the counter-petitioner's position in O S 555/49-50 stands and it is this modified proposal as placed before the Hon'ble the Chief Justice which is really functioning now

4 To turn now to the proceedings before the Commissioner of the Bangalore City Corporation, the same set of persons viz Sri B V Shivaraj ah and Sri B N Hemanna and his tenants made petitions on the ground that the factory running on 10 H P was a nuisance The Commissioner directed that the counter-petitioner should use a 2 1 P engine But that was obviously impossible because a 2 H P motor is unable to run any part of the machinery The counter-petitioner was called upon to show cause why the license should not be withdrawn The Commissioner it is respectfully submitted, while acting under Section 301 of the Bangalore City Corporation Act is fulfilling a judicial function It is submitted that he could not merely say that He should have given an opportunity for the counter-petitioner to know what was the evidence proposed to be given against him enabled the counter-petitioner to test it by cross/examination and then called upon him to adduce his evidence - Instead of acting in this judicial manner the Commissioner has passed, what the counter-petitioner respectfully submits was, an arbitrary order stating that the counter-petitioner should discontinue from using altogether a 10 1 P engine The date of this order, it may be submitted is 10 2 1950 That order was stayed by the Hon'ble Minister on 16 3 1950

5 It will be seen that beyond the two sets of plaintiffs in the two suits above-named no other neighbour has either complained or given any testimony before the Commissioner It may be mentioned that Sri Shivaramiah and Sri Lemanna also petitioned the Director of Industries to withdraw the license under the Factories Act The Director referred it to the Inspector of Factories The Inspector of Factories then made an inspection and he has reported that there is absolutely no kind of damage at all likely to result to the building of the petitioners which was a very substantial one He also negatived ~~that~~ the possibility of the building cracking He also stated that the Sri Ranganswamy Temple street was a very busy locality and in which industrial machines were being operated with electric power The original has been summoned from the Office of the Director of Industries & Commerce and produced in O S 555 of 49-50 A certified copy of that certificate dated 19 10 1949 is herewith produced That certificate is issued by the Chief Inspector of Factories and Boilers in Mysore and he is a very responsible and competent person employed for the very specific purpose of finding out whether the running of a factory is either injurious to the safety of the adjoining buildings or is a nuisance

6 The counter-petitioner upon the order issued by the Commissioner on 10 2 1950 filed a petition to Government really under Sec 303 of the Corporation Act But by a typist's error Sec 302 has been mentioned But the petition and its substance come under Section 303 of the said Act and the mention of Sec 302 is a slip Now under that provision viz Sec 303 Government has the power to modify the order of the Commissioner The

The interim modification of the order of the Commissioner by virtue of the stay order issued the counter-petitioner submits that that order may be made final for the following reasons -

(i) The order of the Commissioner calling upon the counter-petitioner not to run his factory with a 10 H P engine is unsupported by any legal evidence The/Chief report of the Inspector of Factories has not even been referred to by the Commissioner nor is there anything to show that he is either aware of it or has taken it into consideration in forming his conclusion The Commissioner was bound to act judicially because the cancellation of a license already issued or withdrawing the permission to run the factory for which a permission is issued by the Corporation is in the nature of judicial or quasi-judicial proceeding and no person acting in that judicial capacity can ignore the evidence ~~with~~ before him Again the Commissioner did not give any opportunity for the Counter-petitioner to know what was the evidence against him and who gave evidence of either a nuisance or danger nor was the counter-petitioner afforded an opportunity to give his own evidence

(ii) There is one further vital defect in the proceedings of the Commissioner The provision of Section 301 of the Bangalore City Corporation Act require that the running of the Factory should be a nuisance But it will be noticed that it is only the two adjoining owners of the premises viz , Sri Sankaramiah on the west and Sri Hemanna on the East (the others are merely his tenants) who complained of vibrations etc But it will be seen that neither the persons who are living in the front nor rear nor the other neighbours generally of the locality have ever made any complaint that it will

will be a nuisance nor is there any such material on record Therefore the finding of the Commissioner that it is a nuisance to the neighbours is an incorrect statement of fact and the conclusion based thereon cannot therefore be supported and it is illegal Thus the Commissioner has not kept clearly before him the distinction between what Sec 301 of the Act requires and what xx actually the case here is The Act justifies when it is a public nuisance The Act does not justify when it a private nuisance to only a few neighbours Therefore the order is illegal

(iii) The two neighbours complaining of private nuisance to them viz Sri Shivaramiah and Sri Hemanna and his/tenants have already filed two suits viz O S 555 of 49-50 and 577/49-50 in the Court of the first Munsiff Bangalore Both these cases are ripe for trial The counter-petitioner also produces a copy of the issues in O S 555 of 49-50 The issues in O S 577 of 49-50 filed by the petitioners are also the same It will be seen from the issues that the main point for decision in the suits is whether the running of the machinery in the counter-petitioners premises causes any vibrations or nuisance or injuriously affects the buildings of either of the two neighbours including the first two petitioners Therefore the question whether nuisance is likely to result is directly in issue between the two parties in the civil court It is respectfully submitted that naturally the trial in the civil court will be full and the matter is open to statutory appeals The conclusion of the Commissioner is not arrived at with as full and complete a trial as in a civil court It is therefore submitted that the matter in controversey is directly pending in the civil court and is sub judice It

It is therefore submitted with respect that it would be more advantageous to have the matter settled in the civil court litigation and to continue the order for stay under Section 306 of the Act subject to the final result of the civil court litigation Otherwise it is likely to result in conflict of proceedings and the counter-petitioner will be put to irreparable loss and injury

(iv) The counter-petitioner also produces a copy of the order in C R P No 46/50-51 in the High Court of Mysore wherein the other neighbour has very willingly consented to the factory of the counter-petitioner being run with a 5 H P motor This subsequent proceeding in the High Court dated 3 8 1950 clearly shows that all the neighbours do not join in making a complaint against the running of the counter-petitioner's factory now Here there were two sets of complainants there is only one now and those are the petitioners and the other neighbour has entirely withdrawn his protest It is submitted that even the petitioners' building cannot suffer any damage at all if the counter-petitioner runs the factory with a 5 H P motor which is half of the original power allowed The law also is clear namely that in a busy locality like the Rangasvamy temple street in Bangalore City where there are a number of other factories using as much as 40 to 50 H P Motors the petitioners cannot expect so much of quiet and freedom from vibrations as in a fashionable residential locality The counter-petitioner has invested more than Rs 40,000/- now The object of the petitioners is to circumvent the entire proceedings in the civil court by pressing for the withdrawal of the license in the hope that that will completely prevent the counter-petitioner from running his factory As already stated the counter-petitioner

is quite willin to run his factory with a 5 P motor alone and there could be no reasonable objection to the orderof the Commissioner being modified to that extent It may also be entioned that Sri N R Seshadri Chartered Engineer of the Mysore Construction Engineering Company has also inspected the factory and has certified that even with a 10 H P motor there was no danger to the buildings of the neighbours or nuisance caused to them The original is produced in the First Munsiff's Court A copy preserved is annexed hereto

FOR THE foregoing reasons it is submitted that the order of the Commissioner calling upon the counter-petitioner not to run his Factory with a 10 H P otor may be cancelled and the counter-petitioner permitted to run the factory on the license already issued subject if necessary to the modification that he may use a 5 H P otor in place of the 10 P otor as directed by the High Court in C R P 46/50-51 on 3 8 1950 and leave the final question whether a nuisance is caused to the petitioners to the final decision of the civil court as proceedings are already pending in O S 577/19-50 nd also in O S 555 of 49-50 Court of the First Munsiff at Bangalore

Bangalore
25 5 51

COUNTER-PETITIONER

V Krishnamurthy
V Balakrishnan
ADVOCATES FOR COUNTER-PETITIONER

List of documents produced by Plaintiff or Defendant (O 1 r I) Form No 12 (Civil)

Before the Hon'ble Minister for Local Self Govt and Bangalore

IN THE COURT OF ~~—~~ AT

No L 495-6

SUIT No OF 194 —194

Sri B N Hemanna & Others Plaintiff } vs { Sri S A Venkataramana Rao Defendant Retd

No	Description of document	Date if any which the document bears	Remarks
1	2	3	
1	Report of the Factory Inspector Bangalore	19 10 49	Certified Copy
2	Certificate of the Chartered Engineer Bangalore	12 9 50	
3	Copy of Issues in OS 555/49 50		Certified Copy
4	Order in CRP 46/50 51	3rd Aug 50 51	Do

Vbalaraj Urs Advocate

Signature of Party or Pleader

WD 0738—GPB—16 200— 9 3 48

Venkatarama Raju C R No 35

IN THE COURT OF THE FIRST MUNSIFF AT BANGALORE

O S No 555 of 1949-50

Plaintiff - Srivaramappa

--Versus--

Defendants - Venkataramana Raju

No 510 of 1949-50 Enc one O S No 555 of 49-50

Filed in Court (Initialled) R S First Munsiff

Bangalore 31-3-1950

Dated 18/19th October 1949

To

The Chief Inspector Factories,

and Boilers in Mysore, Bangalore

Sir, Counter petition dated 30-8-1949 from the inhabitants of Sri Rangaswamy Temple street, Bangalore City against the installation of machinery at No 44 of the same street

xxxxx

Copy applied for th	Applicant told th be ready	to produce Copy Addl Copy reqd be ready	Applicant told to pay the	Copy delivered th
Addl Copy reqd be ready	Supplied th	Applicant to pay the	Copy paid by Examined by

With reference to Memo No F3/49-50 dated, 31-2-1949 forwarding therewith the above petition for - investingatı n anu report I have the honour to report that a recommerdatıon was made for the ıssue of a licen_e to Srı S A Venkatramarju for Temple Street, for Power Rolling Mills vide my report No 783/47-48 dated 16-10-1947

The building which the machinery are installed ıs between two buildings The one on theeas_t ıs a very substantıve building, built reccently costing - about Rs 20,000/- to Rs 30,000/- and the one on the West ıs an old building with mudroofing All the three buildings have their own ırdependent walls on ındeperdent founuatıons but theyare not detached and the walls are ngetting eachoth r Thc machinery installed ın the building are for the purpose of -

C py ppl d f th	Appl t ld t pp t oe py th	C py d h d th
Appl t bold th top d e C py t t Add t al h t by tl	Appl t pp d t tY	C p d by
C py g h ts Add t l C py g h S ppl d th	Cppy dy tl	E m d by

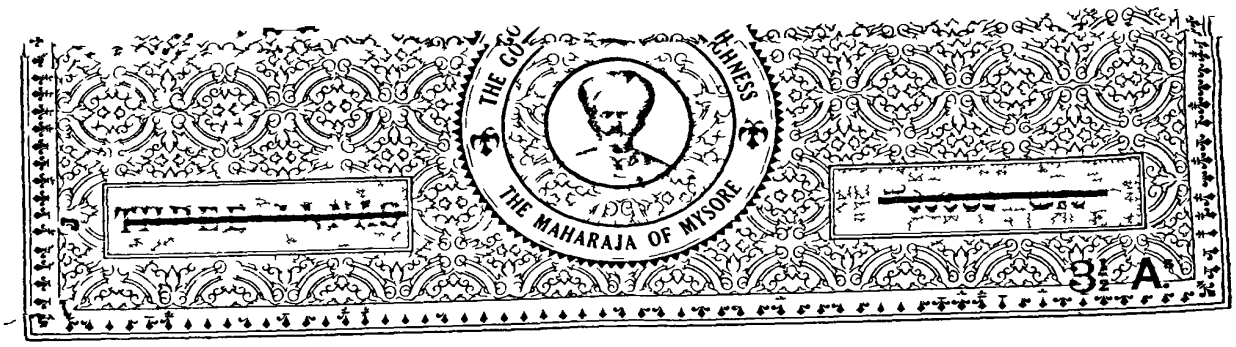
o wire-drawing tackle is for drawing thinner wire from thick ingot and mostly dopper and copper alloys are drawn to five machines are installed and being worked with 10 H P Motor

The building under reference wherein the machinery are installed is strong and spacious for the - purpose of intended

The machinery at work do make a certain amount of noise but not to the extent represented by - the applicants There are, in the same road three or four similar units working but far as none of the neighbours ofthese units have complained The vibration set up by these machinery, while working is - ffeeble and it does not damage the adjoining houses

I am submitting thisafter inspectiong the other -

Copy applied for th	Applt told th tld Copy lt Addl lh bl tl	Applt tlltpp t py th
Applt tp dt ly tl	Addl Copy gh ts lCopy gh t Sppld tl	Copy ly tl
Copy dlivred th	Cp d by	Exmed by



other installations, whichare working since years

The original references received with the -

above memo are herewith submitted

Yours faithfully,

(Initialled) not clear 19-10-

Inspector of Factories,andBoilers

If necessary a copy may be submitted to the Court

(Intialled) not clear 30-3-

"True Copy"

b a Subramanya

Head Munshi

6 4 50

Copy applied for th 3-4-50	Applicant applied for th 10 4 50	Copy delivered th 6 4 50
Applicant told th Copy ready by th	Applicant applied for th 6 4 50	Copy paid by M B Ramaiah
Addl Copy ready th Supplied th	Copy ready th 6-4-50	Examined by [illegible]

True-Copy

The Mysore Construction Engineering Co
Engineers & Contractors
Specialists in Reinforced Concrete Design and Construction

Directors
N R Sheshadri B E (Civil) A M I E (Ind)
Chartered Engineer

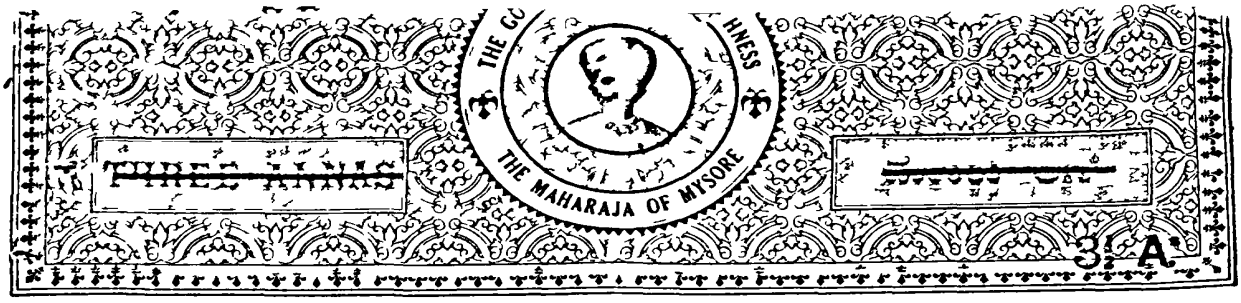
C V Keshava Murthy, L T.M

Head Office
Garden Lodge
Kempegowda Road
Bangalore City,
Dt 12th Sept '50

This is to certify that I inspected the factory building of Sri Anantha Power Rolling Mills at 44- Rangaswamy Temple Street, Bangalore City and examined in detail the vibrations due to the working machines on the building No doubt there is very slight vibration in the wall of the building facing south, on which rests the support of the driving shaft, but it does not transit the vibration to the other walls of the building As such there is no vibration felt in the walls which are abutting the neighbouring buildings Even this can be avoided by resting the supports of the shafts on the pillars There is no cause for complaint by the neighbours However after examining the building at the time of working of the machines, I can say that as it is no danger to the owners building as well as to the neighbouring buildings

Sd N R Sheshadri
12 9 50
(Chartered Engineer)

Copyright Supplemental Copyright | Copy by | Examined by



C R No 446

Sri M Venkataramaraju, Defendant

C R No 446

IN THE COURT OF THE FIRST MUNSIFF AT BANGALORE

O S No 555 of 1949-50

Plaintiff - B H Shivaramappa and others

---Versus--

Defendant - S A Venkatarma Raju

ISSUES

1) Is the suit not maintainable for the reasons - pleaded by thedefendant in para 2 of the written - statement?

2) Does the noise and vibrations produced by the - working of the machinery in defendant's factory and the smoke of the furnace emitted by the chimney materially disturb and interefrere with the domestic peace and physical comfort of the Plaintiff?

3 Has the Plaintiffs' building been damaged by cracks developing in the wall of the Plaintiff's house on account

Copy applied for th	Applicant told to appear and receive copy on	Copy delivered th
Applicant told th	Copy sheet Additional sheets	Copy paid by
Copy ready th	Applicant appeared and required copy on	Examined by
Additional Copy sheet Supplied th	Copy ready th	

an account of the vibrations generated by the working of the machineries in the defendant's factory and is the building likely to collapse if the state of affairs are allowed to continue?

4 Are Plaintiffs 1 and 2 the owners of the property adjacent to defendant's premises?

5 To what reliefs, if any, is are the Plaintiffs entitled.

(Sd) R Sanjeevalu, First Munsiff

Bangalore 19-7-1950

True Copy

L A Subramhanya

227 50

Copy applied for th 21-7-1950	Applt told h t p d Copy bect Addt m l h t b th	Copy g b t Addit l Copy g h t Supplied th
Applt ttld t pp t copy th 22-7-1950	Applt p p red t c py o th 22-7-1950	Copy dy tl 22-7-1950
Copy deli red th 22-7-1950	Cpd by [illegible]	E [illegible]

C R 82
Sri S A Venkataramaraju,
Petitioner

IN THE HIGH COURT OF MYSORE AT BANGALORE

Thursday, the 3rd day of August 1950

Before

Rao Bahadur

Sri P Medapa, Chief Justice,

Civil Revision Petition No 46 of 1950-51

S A Venkataramaraju — Defendant — PETITIONER

(By Sri V Krishna Murthy)

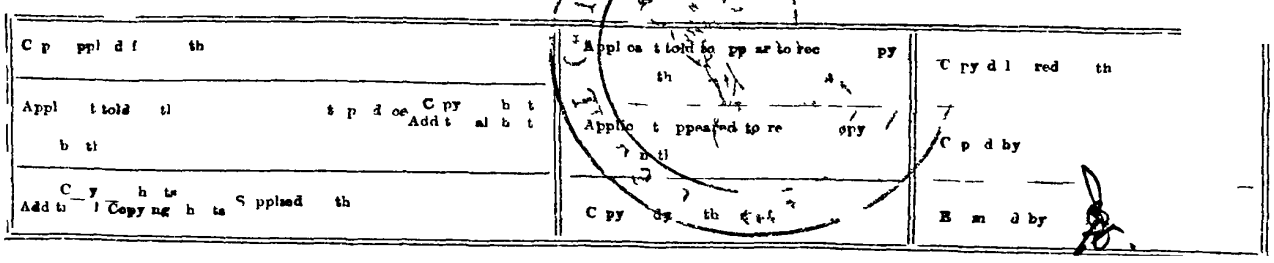
v

1 B. H Sivaramappa
2 B H Nanjappa,
3 Muddappa,
4 Navakoti,
5 Venkataramanappa

Plaintiffs — RESPONDENTS

(By Sri S N Gopala Rao)

Civil Revision Petition against the order, dated 2-6-50, passed by the Principal District Judge, Bangalore, in



in Miscellaneous Appeal No 6 of 50-51 modifying that of the First Munsiff, Bangalore, in O S No 555 of 49-50 on I A No II

This petition coming on for reporting settlement and a memo of consent having been filed this day, the Court made the following --

O R D E R

The parties file a compromise memo There will be an order accordingly

Sd/- P Medapa,
CHIEF JUSTICE

"True Copy"
DEPUTY REGISTRAR

Copy applied for the 25-5-51	Application told to appear and collect copy by the 28-5-51	Copy delivered the 25/5/51
Application told to be informed when copy ready and collect by the	Application appeared to collect copy on the 25/5/51	Copy delivered by
Copying charges Additional Copying charges Stamps supplied the	Copy ready to be delivered on the 25-5-51	Examined by Sundara Rao

C R 82
Sri S A Venkataramaraju,
Petitioner

In Court by Advocates
(Id) V R 3/8
Stamp Rs 2/- D/10-8-50

IN THE HIGH COURT OF MYSORE AT BANGALORE

C R P lo 46 of 50--51

Petitioner - S A Venkatarama Raju

-Vs -

Respondents - B H Sivaramappa etc

Memo of Consent

It is agreed that as an interim arrangement, the petitioner may run his factory with a 5 H P engine during the pendency of the suit without prejudice to the ultimate decision Subject to this, the temporary injunction granted will stand modified thus "the defendant may work his factory with a 5 H P engine during the pendency of this suit."

8-8-1950

Sd/- V Krishnamurthy,
Advocate for Petitioner

Sd/- S N Gopala Rao,
Advocate for Respondents

"True Copy"

DEPUTY REGISTRAR

Copy applied for the 25-5-51	Application to top of Add'l Copy by th	Application lodged for the 28-5-51
Application to top of Add'l Copy by th	Application lodged for the 25-5-51	Copy delivered th 25/5/51
Additional Copy ready th	Copy delivered th 25-5-51	Copied by [illegible]
		Examined [illegible]

No L 4624-7
28/8/54

6 Copies

Notice

Petitioner

Sri B N Hemanna
and others
(Sri Sri R N Venkatarama,
L C Nahla and Mohan
Nandini) through his
Counsel Sri A Bheemappa
Naik, B A, Civil & Criminal

vs/

Counter-petitioner

Sri S A Venkata
Ramana Rao B Sc
No 44, Sri Rangasami
Temple Street
Blore
Through his Counsel
Sri M/s V Krishna-
murthy and
V Balarathnam
Advocates Blore

Subject License to Sri A Venkata Ramana Rao for running power Rolling mills of 10 H P Electric Motor at No 44 Sri Rangasamy Temple Street, B'lore

Sir

I am hereby informed that the above case is posted to 13/9/54 at 2 P M for hearing by the Hon'ble Munsiff for L S G in his chambers in the old public offices, Blore

B O
Sd/-
L S G Asst
8/8/54.

Memo No 4628

Copy to the Commr/ Corporation of the City of Blore (through the Munsiff for information

B O
Sd/-
L S G Asst
8/8/54

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

No L 46247

General and Revenue Secretariat

Dated Bangalore 8/8/1951

NOTICE
~~NOTIFICATION~~

PETITIONER		COUNTER-PETITIONER
Sri B N Hemanna and others (Sriyuths R N Chikkanna, L C Mehta and Mohan Naidu) through his Counsel Sri A Bheemappa Naik, B A , Advocate, Chitaldrug	VS	Sri S A Venkataramanaraju, B Sc No 44, Sri Rangaswami Temple Street, Bangalore through his Counsel Srithyuths V Krishna-Murthy and V Balarathnam, Advocates, Bangalore

---

Subject License to Sri A Venkataramanaraju for running power rolling Mills of 10 H P Electric motor at No 44, Sri Rangaswamy Temple Street Bangalore

---

It is hereby informed that the above case is posted to Monday the 13th August 1951 at 2 P M for hearing by the Hon'ble Minister for Local Self Government in his chambers in the old Public Offices, Bangalore

By order,

For L S G Secretary to Government

knr-6/8 8 51

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

No L, 6244-5 General and Revenue Secretariat

Dated Bangalore 11th September 1951

NOTIFICATION

N O T I C E

Petitioner		Counter-petitioner
Sri D [illegible] Hemanna & others (Sriyuths [illegible] Chikkanna, L G [illegible]hta & [illegible]chan Naidu) through their counsel Sri [illegible] Lingappa Naik, B A , Advocate, Chitaldrug	-vs-	Sri A Venkataramanaraju, B Sc , No 44, Sri Ranga Swami Temple St , Bangalore, through his Counsels Sriyuths V Krishna Murthy & V Balaratnam, Advocates, Bangalore.

Subject - Licence to Sri A Venkataramanaraju for running Power Rolling Mills of 10 H P Electric Motor at No 44, Sri Ranga Swamy Temple Street, Bangalore

It is hereby informed that the above case is posted to Saturday, the 15th September 1951 at 10 A M for hearing by the Hon'ble Minister for Local Self-Government in His Chambers in the Old Public Offices, Bangalore

By Order,

11/9/51

for Secretary to Government,
L & C Department

L & C 11/9.

GOVERNMENT OF ~~HIS HIGHNESS THE MAHARAJA OF~~ MYSORE

No L. 6264-5 General and Revenue Secretariat

Dated Bangalore 11th September 1951

NOTIFICATION

N O T I C E

Petitioner		Counter-Petitioner
Sri B Hemanna & others (Sriyuths R N Chikkanna, L C Mehta & Mohan Naidu) through their counsel Sri S Sreemappa Naik, B A , Advocate, Chitaldrug	-vs-	Sri A Venkataramanaraju, B Sc No 44, Sri Rangaswami Temple, St Bangalore, through his Counsels Sriyuths V Krishna Murthy & V Balarathnam, Advocates, Bangalore

---

Subject - Licence to Sri A Verkataramanaraju for running Power Rolling Mills of 10 H P Electric Motor at No 44, Sri Rangaswamy Temple Street, Bangalore

It is hereby informed that the above case is posted to Saturday the 15th September 1951 at 10 A M for hearing by the Hon'ble Minister for Local Self-Government in His Chambers in the Old Public Offices, Bangalore

By Order,

Thammanappa 11/9/51

For Secretary to Government,
L & L S G Department

LRS 6 11/9

V Krishna Murth BS BL
ADVOCATE
RE N E 4 KU R PA K E T

OFFICE 3 SUBEDAR CHATRAM ROAD
BANGALORE CITY

Dated 12th Septr 1951

O C E C
THE MINISTER FOR
LOCAL SELF GOVERNMENT
No 2144
Date

To

The Hon'ble the Minister for
Local Self Government,
Bangalore

Sir

Re B N Hemanna & others vs S A Venkata-
ramana Raju

12 9 51

I understand that the above Case has been posted for hearing at 10 A M on 15 9 1951 I respectfully beg to submit that on account of previously posted work of a very heavy nature in the District Court I am not able to attend to this case on 15 9 51 I have represented my difficulty to Sri A Bheemappa Naik Advocate who appears for the Petitioners and he was pleased to say that he had no objection for an adjournment I therefore humbly pray that an adjournment may kindly be granted and three weeks be given for the purpose I beg to be excused for the trouble caused

The concerned file may be put up

On 12/9/51

14/9

Yours faithfully
V Krishnamurth
ADVOCATE

MA 257

Received a copy of the reply to the objection of counter-petitioner Sri S A Venkataramana

Office of the Director for Local Self Government
No 1069
Date 17/7/51

V Sundaram
Clerk of Sri V K Mallesh
Advocate for counterpetitioner
17 7 51

Bangalore 17/7/51

Date 17 7 51 Put up with the file

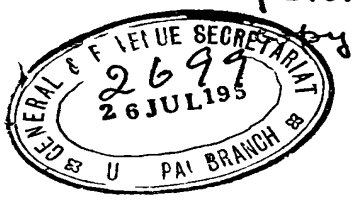
19/7/51

Before The Government of
Mysore - Bangalore

Petitioners - B N Hemanna and others
vs
Counter-petitioner Sri S A Venkata
-ramana Rao

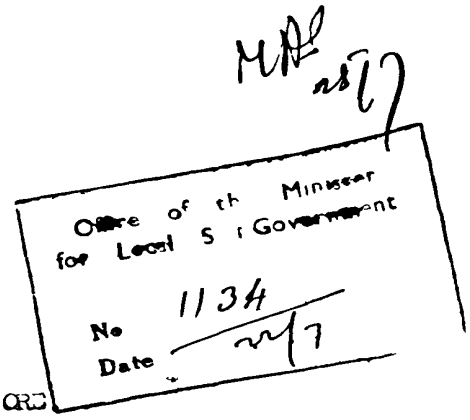
Receipt Memo

The petitioner herewith produces a receipt signed by the counter-petitioners advocate after serving a copy of the reply



B N Hemanna
Petitioner

Bangalore
Date 18 7 51



BEFORE THE GOVERNMENT OF YSORE BANGALORE

PETITIONER:- Sri B N Hemanna and others

Vs

COUNTER PETITIONER:- Sri S A Venkataramana Raju B Sc ,

The petitioners named above beg to file the following Reply to the Objections filed by the Counter-petitioner

1 The allegations made in para 1 of the counter-petitioner's objections, stating that the Inspector Factories inspected the spot and examined the neighbours and the Municipal Commissioner also made a thorough inspection of the spot in the year 1947 and thereafter issued a licence in the year 1947 to run his factory, are baseless and farfrom truth The counter-petitioner has obviously got up this story to give a colour to his case Neither the Inspector of Factories nor the Municipal Commissioner examined and inspected the spot and the neighbourhood and the suitability of granting a licence to run the factory If such an enquiry and inspection had been held, this petitioner would have been the first person to oppose vehemently the grant of a licence The counter-petitioner on the other hand by making mis-representations and practising fraud upon the Municipal authorities and the Director of Industries and Commerce, had manoeuvered to obtain a licence in the year 1947 Being affraid of his fraud being brought to light did not at all run his factory in

in the year 1947, lest the neighbours should stoutly oppose his running of the factory and complain to the authorities for cancellation of his licence He again got his licence fraudulently renewed for the year 1948 without actually running his factory But eve for this whole year also, he did not start his factory He, therefore, got another fraudulent renewal of his licence for the year 1949 and actually commenced work in his factory in the month of August 1949 The counter-petitioner has thus kept in ignorance these petitioners of the fact of running his factory type machines He has installed in his factory 8 to 9 wire-drawing and sheet rolling machines to be drawn by a 10 H P Motor He has also constructed an oven or furnace in his factory for heating the metals He has also attached a low level chimney to the furnace through which volumes of black and unhealthy smoke escapes and renders the surrounding air entering the house of the petitioner abnoxious, unwholesome and injurious to health he uses for the purpose of his business brass and copper ingots wires and other metalic sheets After heating these metals in the furnace, they will be subjected to constant hammering and then they will pass into those 8 to 9 machines drawn by a 10 H P Motor These various acts carried in his factory, such as the constant hammering of the metals and transferring them from one place to another the working of the 8 to 9 machinery, constituted a source of nuisance and annoyance to these petitioners Further, during the course of the working of the factory violent vibrations are produced subjecting the adjacent wall of the petitioner to constant shaking This adjacent common wall of the petitioner is double the

the height of the counter-petitioner's factory premises and as a result of the constant violent vibrations produced in the counter-petitioner's factory, cracks have developed in this adjacent wall belonging to these petitioners The windows, shutters and doors began vibrating morter in the ceiling has been dropping down Owing to this the intrinsic strength of the building has become materially affected and the building itself may come down in course of time of this state of - affairs was allowed to continue Further, the constant violent noise produced in the factory has become unbearable materially interfering with the ordinary physical comforts of these petitioners Similarly, the abnoxious and unwholesome and injuries smoke entering the petitioner's house has disturbed the domestic conforts of the inhabitants and became a source of nuisance and annoyance These petitioners, therefore, complained of this actionable nuisance caused by the counter-petitioner to concerned authorities, namely, the then Hon'ble Minister, Municipalities and Department of Industries and Commerce It is only then that the Inspector of Factories and Boilers referred to in the objections came for a verification and enquiry The certificate issued by the Inspector of factories was produced by the defendant in O S 555/49-50 on the file of the learned I Munsiff to show that there is no danger to the petitioner's building The learned Munsiff did not attach any importance to this certificate and confirmed the order of Temporary injunction issued in O S No 555/49-50 restraining the counter-petitioner from running his factory This petitioner submits further so far as the merits of that certificate is concerned, that in the first

first place, the Inspector of Factories and Boilers is not a competent person to issue such a certificate inasmuch as he is not a technical man, just as an engineer is, to ascertain the vibrations and the shaking of the walls He is only a layman so far as that aspect is concerned Secondly, the statutory power to stop running of the factory on the grounds of nuisance to the neighbours is vested under S 301 of the Corporation Act in the Commissioner of the Corporation and not in the Inepector of Factories or in the Department of Industries & Commerce This certificate is, therefore, of no legal effect and serve no purpose other than pleasing the counter-petitioner who must have tried to obain a certificate of that type from an unauthorised person to support his illegal act So far as the contents of the certificate is concerned it is reppectfully submitted, they are devoid of truth as is evidenced by the certificate issued by Sree S Surtanarayana Setty B E Architect and Designer and produced by the petitioners in court in their case A certified copy of the same is produced herewith for kind perusal

Later on, the petitioners took up the matter before the Municipal authorities for the cancellation of the licence granted to run the factory The then Hon'ble Minister and the Municipal Commissioner and the Health Officer inspected the spot in question and after satisfying themselves that the running of the factory is a source of nuisance, a notice was issued by the Commissioner to the counter-petitioner to suspend the running of the factory Even inspite of this, the counter-petitioner continued to run the factory He was therefore prosecuted under S 301 of the Corporation Act in C C No 60/50 51 on the file of the II City Magistrate's Court, Bangalore Later on, the counter-petitioner

preferred an appeal before this Hon'ble court and obtained a stay order and also got the criminal case withdrawn It is against the said stay order, the petitioners have now preferred this petition and humbly pray that the stay order may be vacated and the coun er petitioner be restrained from running his factory

The allegations in para 1 about the appeal in the District Court and the revision petition thereon are true The other allegations of this para are false and denied

The allegations in para 2 are true and admitted

The allegations made in para 3 that in the presence of competent engineering that the factory was run by 5 H P are false and are deliberate misrepresentations made to this Hon'ble Court These petitioners are further not aware whether Sree Shivaramiah was satisfied or not with harnessing of 5 H P Motor and in fact there is absolutely no connection between the nuisance caused to Sree Shivaramiah and these petitioners The counter-petitioners have not also amended their statement as alleged by them These petitioners learn that the consent order referred to in para 3 was made between Sree-Shivaramiah and the counter-petitioner It is, therefore, binding only between them and it has nothing to do with these petitioners The consent order was to be force between those parties only during the pendency of the suit and not for ever Regarding the other allegations in this para, the petitioners beg to state that so far the counterpetitioner has not placed any material on record to show that he is now running his factory by a 5 H P Motor Just as it is impossible for them to run the factory by a 2 H?P? motor it is also practically impossible to run such a heavy factory type of machinery by a 5 H P Motor The

The learned Munsiff has in his order dated 12-2-57 in I A No I in O S No 577/49-50 categorically negatived the contention of the counter-petitioner that he is running his factory by 5 H P Motor

It is true as stated in para 4 of the objections that the petitioners took up the matter to the commission Sree Shivaramiah also might have lodged complaints against the running of the factory The other allegations herein are false and denied The Municipal Commissioner himself inspected the spot and was satisfied of the nuisance and hence, he acted judicially and not in an arbitrary manner as alleged by the counter petitioner

The allegations in para 5 that the Inspector of factories inspected the spot and his report thereon are false and denied The petitioners have already submitted above what legal effect could be given to this certificate The Inspector of Factories has nowhere stated in his certificate that Rangaswamy temple street is a very busy locality This is once again a deliverate misrepresentation made by the counter-petitioner It is also calse that he was designated as Chief Inspector of Factories and Boilers He is only an Inspector and not the Chief Inspector The other allegations regarding his ability and competency have al eady been sufficiently met with above

The petitioners do not admit the allegations in para 6 and put the counter petitioner to the strict proof of the allegations made in first part of para 6 The other allegations made in sub-paras of (i) (ii), (iii) and (iv) of para 6 are untenable and cannot stand the test of trut This Hon'ble Court has also has jurisdiction to decide the case irrespective of the court proceeding referred to in

in sub-para (ii) of para 6 The counter-petitioner will never be put to any irreparable loss or injury

Regarding the allegations in sub para (iv), the petitioners submit that when the complaint that the running of the factory causes damage to their building and actionable nuisance it is very strange for the counter-petitioner to think of other neighbours to complain of his nuisance These petitioners produce herewith true copies of the Engineer's certificates issued to them who have definitely opined that if the factory is allowed to run their building would certainly collapse in course of time The learned Munsiff has also relied upon these certificates and rejected the certificate of Sree V R Seshadri relied on by the Counter-petitioner

For the foregoing reasons, the petitioners most humbly pray to vacate the stay order and to direct the counter-petitioner to stop his factory

B N Hemanna

Bangalore 16-7-57

B N Gundu Rao

Petitioners

D/ A Brahmaiah

Advocates for petitioner

Copy "

Visveswarapuram Circle
Bangalore City
21st March 1950

S Suryanarayana Setty, B E
Archtic & Designer

To whom it may concern

I have inspected the premises bearing No 43 belonging to M/s Hemanna & Bros situated in Rangaswamy Temple street, Bangalore City The said premises has got a first flour and is a recent and solid construction of rainforced concrete roofing and size stone massing

About a week ago, I inspected the above premises when the factory, situated to the right of the building in the adjacent remises bearing No was working I heard the terific noise, that was generated in the said factory which is atribulable to the machine which are being run in the said factory for drawing metallic wires and plates etc When the said factory was running I actually saw and felt the walls of this building viole tly vibrating and craks in the roof and the walls of the said buildings originating from the walls adjacent to the said factory I am of definite opinion that t orecraks are solely atributable to the vibrations referred to by e above At several places the plastering had fallen of from roofs and walls I am of further opinion that these vibrations naterially affect the instintrusice strength and conse dently the movetary value of the buildin, and these buildings ay come down if they are continued to be subjected to the said violent vibrations in the course of a decade of years I also saw a chimny from which heuge volumes of black smoke are committed The level of this chimny is lower than the level of the I Flour of the premises o 43 and this smoke is communicated to the sorrounding air which in spreads over he first flour thereby to above and also the sorrounding buildings

Sd/- S Suryanarayana Setty,
21st March 50

B N Ramakrishna
16-7-57

GOVERNMENT OF ~~HIS HIGHNESS THE MAHARAJA~~ OF MYSORE

No L. 6583-8 General and Revenue Secretariat

Dated Bangalore 9/ September 51

NOTIFICATION.

N_o_t_i_c_e.

Petitioner	Counter-Petitioner
Sri B N Kemanna & Others (Sriyuths: R M Chikkanna, L C Mehta & Mohan Naidu) through their counsel Sri A Bheemappa Naik, B A , Advocate, Chitaldrug	Sri S A Venkataramanaraju, B Sc , No 44, Sri Rangaswami Temple St. Bangalore, through his counsels Sriyuths V Krishna Murthy & V Balarathnam, Advocates, Bangalore.

- - -

Subject:- Licence to Sri A Venkataramanaraju for running Power Rolling Mills of 10 H P Electric Motor at No 44, Sri Rangaswamy Temple Street, Bangalore

***

It is hereby informed that the above case is posted to Thursday the 27th September 1951 at 12 Noon for hearing by the Hon'ble Minister for Local Self-Government in his Chambers in the Old Public Offices, Bangalore

By Order,

20/9/51

for Secretary to Government,
L & L G Department

L: 6/20 9

GOVERNMENT OF ~~HIS HIGHNESS THE MAHARAJA~~ OF MYSORE

No L. 1583-8 General and Revenue Secretariat

Dated Bangalore 21 September 19 51

~~NOTIFICATION~~

N o t i c e

Petitioner	Counter-Petitioner
Sri B N Hemanna & Others (Sriyuths R N Chikkanna, L C Mehta & Mohan Malcu) through their counsel Sri A Bheemappa Naik, B A , Advocate, Chitaldrug.	Sri S A Venkataramanaraju, B Sc , No 44, Sri Rangaswami Temple St Bangalore, through his counsels Sriyuths V Krishna Murthy & V Balarathnan, Advocates, Bangalore

- - -

Subject - Licence to Sri A Venkataramanaraja for running Power Rolling Mills of 10 H P electric motor at No 44, Sri Rangaswamy Temple Street, Bangalore

***

It is hereby informed that the above case is posted to Thursday the 27th September 1951 at 12 Noon for hearing by the Hon'ble Minister for Local Self-Government in his Chambers in the Old Public Offices, Bangalore

By Order,

20/9/51

for Secretary to Government,
L S G Department

L 6/20 9

GOVERNMENT OF ~~HIS HIGHNESS THE MAHARAJA OF~~ MYSORE

No L. 6583-8 General and Revenue Secretariat

Dated Bangalore 29 September 1951

~~NOTIFICATION~~

N o t i c e.

Petitioner	Counter-Petitioner
Sri B N Hemanna & Others (Sriyuths R N Chikkanna, L C Mehta & Mohan Naidu) through their counsel Sri A Bheemappa Naik, B A , Advocate, Chitaldrug.	Sri S A Venkataramanaraju, B Sc , No 44, Sri Rangaswami Temple St Bangalore, through his counsels Sriyuths V Krishna Murthy & V Balarathnam, Advocates, Bangalore

- - -

Subject - Licence to Sri A Venkataramanaraju for running Power Rolling Mills of 10 H P Electric Motor at No 44, Sri Rangaswamy Temple Street, Bangalore

***

It is hereby informed that the above case is posted to Thursday the 27th September 1951 at 12 Noon for hearing by the Hon'ble Minister for Local Self-Government in his Chambers in the Old Public Offices, Bangalore

By Order,

29/9/51

For Secretary to Government,
L S G. Department

L C 6/20 9

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

No. L 6896-99 General and Revenue Secretariat

Dated Bangalore 14 October 1951 *19*

NOTIFICATION

N O T I C E.

PETITIONER		COUNTER PETITIONER
Sri B N Hemanna & others (Sriyuths R N Chikkanna, L C Metha & Lohan Naidu) through their Counsel Sri A Bheerappa Naik, B A , Advocate, Chitaldrug	VS	Sri S A Venkataramanaraju, B Sc , No 44, Sri Rangaswami Temple street Bangalore through his Counsels Sriyuths V Krishnamoorthy and V Balarathnaman, Advocates, Bangalore

Subject License to Sri A Venkataramanaraju for running Power Polling Mills of 10 H P , Electric Motor at No 44, Sri Rangaswamy Temple Street, Bangalore

It is hereby informed that the above case is adjourned to Friday the 19th October 1951 at 2 P M for hearing by the Hon'ble Minister for Local Self Government in his chambers in the old public offices, Bangalore

By order,

For L S G Secretary to Government

knr-6/1 10 51

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

No L 6896-99 General and Revenue Secretariat

Dated Bangalore 1st October 1951 *19*

~~NOTIFICATION~~

N O T I C E.

PETITIONER		COUNTER PETITIONER
Sri B N Hem nna & others (Sriyuths R N Chikkanna, L C Letha & Mohan Naidu) through their Counsel Sri A Bheemappa Naik, B A , Advocate, Chitaldrug	VS	Sri S A Venkataramanaraju, B Sc , No 44, Sri Rangaswami Temple street Bangalore through his Counsels Sriyuths V Krishnamoorthy and V Balarathnaran, Advocates, Bangalore

Subject License to Sri A Venkataramanaraju for running Power Rolling Mills of 10 H P , Electric Motor at No 44, Sri Rangaswamy Temple Street, Bangalore.

It is hereby informed that the above case is adjourned to Friday the 19th October 1951 at 2 P M for hearing by the Hon'ble Minister for Local Self Government in his chambers in the old public offices, Bangalore

By order,

For L S G Secretary to Government

knr-6/1 10 51

Notice

L 8034-6

26 to 35

Petitioner Sri B N Hemanna and others

(Sri yuths R N chikkanna
L C Netha and
Mohan Naidu)

through their counsel &
Sri H Bheemappa Wanke B A
Advocate chitaldrug

Counter Petitioner Sri S A Venkataramanarayan
B Sc
No 46 Sri Rangaswami Temple St
B'lore through his counsels
Srs V Krishnamoorthy and
V Balarathnaman Advocates
Bangalore

Sub License to Sri Venkataramanarayan
for running Power rolling mills of
10 H P Electric Motor at No 46
Sri Rangaswamy temple st B'lore

—

It is hereby informed that the above case is adjourned to Friday the 9th Nov 1951 at 2 P M for hearing by the Hon'ble Members (Chambers) of L S G in his old Public offices B'lore

B O

2/11/51

for L S G Secretary
Govt

GOVERNMENT OF ~~HIS HIGHNESS THE MAHARAJA OF~~ MYSORE

No L 80346 General and Revenue Secretariat

Dated Bangalore 26 October 1951

NOTIFICATION

NOTIC

Petitioners		Counter-petitioner
Sri D M Hemanna & others (Sriyuths R Chikkanna, L C Mehta & Mohan Naidu) through their counsel Sri A Bheemappa Naik, B A , Advocate, Chitaldrug	-vs-	Sri S A Venkataramanaraju, B Sc No 44, Sri Rangaswamy Temple St Bangalore City, through his counsels Sriyuths V Krishnamoorthy & V Balaratnam Advocates, Bangalore

---

Subject License to Sri A Venkataramanaraju for running Power Rolling Mills of 10 H P Electric Motor at No 44, Sri Rangaswamy Temple Street, Bangalore City.

It is hereby informed that the above case is adjourned to Friday the 9th November 1951 at 2 P M for hearing by the Hon'ble Minister for Local Self-Government in his chambers in Old Public Offices, Bangalore

By Order,

For Secretary to Government,
L S G Department

25/10

LNS 6 24/10

GOVERNMENT OF ~~HIS HIGHNESS THE MAHARAJA OF~~ MYSORE

No^{L} 8034-6 General and Revenue Secretariat

Dated Bangalore 26 October 1951

NOTIFICATION

NOTICE

Petitioners		Counter-petitioner
Sri B V Lemanna & others (Sriyuths R V Chikkanna, L J Mehta & Mohan Naidu) through their counsel Sri A Bheemappa Naik, B A , Advocate, Chitaldrug	-vs-	Sri J A Venkataramanaraju, B Sc No 44, Sri Rangaswamy Temple St Bangalore City, through his counsels Sriyuths V Krishnamoorthy & V Balaratnam Advocates, Bangalore

---

Subject : License to Sri A Venkataramanaraju for running Power Rolling Mills of 10 H P Electric otor at No 44, Sri Rangaswamy Temple Street, Bangalore City.

It is hereby informed that the above case is adjourned to Friday the 9th November 1951 at 2 P M for hearing by the Hon'ble Minister for Local Self-Government in his chambers in Old Public Offices, Bangalore

By Order,

Under Secretary to Government,
L S G Department

25/10

LNG 6 24/10

GOVERNMENT OF ~~HIS HIGHNESS THE MAHARAJA OF~~ MYSORE

No L 8034 - 6 General and Revenue Secretariat

Dated Bangalore 26 October 1951

NOTIFICATION

NOTICE

Petitioners		Counter-petitioner
Sri B N Hemanna & others (Sriyuths R J Chikkanna, L C Mehta & Mohan Naidu) through their counsel Sri A Bheemappa Naik, B A , Advocate, Chitaldrug	-vs-	Sri G A Venkataramanaraju, B Sc o 44, Sri Rangaswamy Temple St Bangalore City, through his counsels Sriyuths V Krishnamoorthy & V B Laratnam Advocates, Bangalore

---

Subject License to Sri A Venkataramanaraju for running Power Rolling Mills of 10 H P Electric otor at No 44, Sri Rangaswamy Temple Street, Bangalore City

It is hereby informed that the above case is adjourned to Friday the 9th November 1951 at 2 P M for hearing by the Hon'ble Minister for Local Self-Government in his chambers in Old Public Offices, Bangalore

By Order,

Bheemappa 25/10

For Secretary to Government,
L S G Department

LnS 6 24/10

GOVERNMENT OF ~~HIS HIGHNESS THE MAHARAJA~~ OF MYSORE.

General and Revenue Secretariat,

No. L 12828 3/ Dated Bangalore 12 February 52

~~OFFICIAL MEMORANDUM~~

NOTICE

Petitioners	Counter-Petitioner
Sri B V Hemanna & Others (Sriyuths H I Chikkanna, L C Mehta & Mohan Naidu) through their counsel Sri A Bheemappa Naik, B A, Advocate, Chitaldrug	-vs- Sri A Venkataramanaraju, B Sc, No 44, Sri Rangaswamy Temple st, Bangalore City, through his counsels Sriyuths V Krishnamoorthy & V Lalarathnam Advocates, Bangalore

---

Subject: Licences to Sri A Venkataramanaraju for running Power Rolling Mills of 10 H P Electric Motor at No 44, Sri Rangaswamy Temple Street, Bangalore City

It is hereby informed that the above case is adjourned to Wednesday the 20th February 1952 at 2 P M for hearing by the Hon'ble Minister for Local Self-Government in his chambers in Old Public Offices, Bangalore

By Order,

(V HANUMANTHAPPA)
for Secretary to Government,
Local G Department

L S 6 8/2

GOVERNMENT OF HIS ~~HIGHNESS THE MAHARAJA OF~~ MYSORE.

General and Revenue Secretariat,

No L /2828-31 Dated Bangalore 11 February 19 52

~~OFFICIAL MEMORANDUM~~

N O T I C E

Petitioners	Counter-Petitioner
Sri B N Heranna & Others (Sriyuths S N Chikkanna, L C Mehta & Mohan Naidu) through their counsel Sri A Veerappa Naik, B A, Advocate, Chitaldrug	-vs- Sri A A Venkataramanarajuru, B Sc, No 44, Sri Rangaswamy Temple st, Bangalore City, through his counsels Sriyuths V Thirumamoorthy & V Lalarathnam Advocates, Bangalore

---

Subject Licences to Sri A Venkataramanarajuru for running Power Rolling Mills of 10 H P Electric Motor at No 44, Sri Rangaswamy Temple Street Bangalore City

It is hereby informed that the above case is adjourned to Wednesday the 20th February 1952 at 2 P M for hearing by the Hon'ble Minister for Local Self-Government in his chambers in Old Public Offices, Bangalore

By Order,

(V [illegible] THAIA)

for Secretary to Government,
L & C Department

L & 68/2

GOVERNMENT OF ~~HIS HIGHNESS~~ THE MAHARAJA OF MYSORE

No L. 11010

General and Revenue Secretariat

Dated Bangalore 27 February 1952

~~NOTIFICATION~~

N O T I C E

Petitioners.

Sri B N Hemanna & Others
(Sriyuths: H.N Chikkanna,
L C Mehta &
Mohan Naidu)
through their counsel
Sri A Bheemappa Naik, B A ,
Advocate, Chitaldrug

-vs-

Counter-petitioner.

Sri S.A.Venkataramanaraju,B.Sc.,
No.44, Sri Rangaswamy Temple St.,
Bangalore City, through his
counsels Sriyuths V Krishnamoorty
& V. Balarathnam, Advocates,
Bangalore

Subject: Licenses to Sri A.Venkataramanaraju for running Power Rolling Mills of 10 H.P. Electric Motor at No 44, Sri Rangaswamy Temple Street, Bangalore City.

It is hereby informed that the above case is adjourned to ~~xxxxxxxxxx~~ Monday the 10th March 1952 at 3 P.M. for hearing by the Hon'ble Minister for Local Self-Government in his chambers in Old Public Offices, Bangalore

By Order,

Hanumanthappa 26/2

(V. HANUMANTHAPPA)
for Secretary to Government,
L S G. Department.

LNS 6.25/2.

GOVERNMENT OF HIS ~~HIGHNESS THE MAHARAJA OF~~ MYSORE

No L. 14040

General and Revenue Secretariat

Dated Bangalore 27 February 1952

~~NOTIFICATION~~

N O T I C E

Petitioners.

Sri B.N Hemanna & Others
(Sriyuths: H N Chikkanna, L.C.Mehta & Mohan Naidu)
through their counsel
Sri A Bheemappa Naik, B A.,
Advocate, Chitaldrug

Counter-petitioner.

-vs-

Sri S.A.Venkataramanaraju,B.Sc.,
No 44, Sri Rangaswamy Temple St.,
Bangalore City, through his
counsels Sriyuths V Krishnamoorty
& V. Balarathnam, Advocates,
Bangalore

Subject: Licenses to Sri A Venkataramanaraju for running Power Rolling Mills of 10 H P. Electric Motor at No 44, Sri Rangaswamy Temple Street, Bangalore City.

It is hereby informed that the above case is adjourned to ~~xxxxxxxxxx~~ Monday the 10th March 1952 at 3 P.M. for hearing by the Hon'ble Minister for Local Self-Government in his chambers in Old Public Offices, Bangalore

By Order,

(V HANUMANTHAPPA)
for Secretary to Government,
L S G. Department.

LNS 6 25/2.

6 Copies

I C H

51 3

Before the Hon'ble Minister for L S G

Petitioners

Sri B N Hemanna and others
(Smt Tho N N Chikkanna
L C Mehla and
Mohan Naidu)

Through the Counsel
Sri A Bheemappa Naik, B A
Advocate, Chitaldrug

Vs

Respondent

Sri S A Venkataramana
Rao, B Sc
No 44 - Sri Rangasamy
Temple Street, Bl'ore city
Through the Counsel
Sri Y T Veerabhamaiah
and V Balarathnam
Advocates, Bl'ore

1) Appeal petition dated 9 2 51 from Sri B N Hemanna and others for a revision of the orders issued by Asst to Stay the execution of the orders of the Commr, Bl'ore Corporation no A G P R 47 49-50 dated 10 2 50 requiring Sri S A Venkataramanarao to discontinue working the power Rolling mills at no. 44 Rangasamy Temple Street, Bl'ore city

2) The appeal petition was heard by the Hon'ble Minister for L S G on the 10 and 17th March 1952. Sri A Bheemappa Naik, Advocate for the petitioners appeared nor the Counsels for the respondent nor the respondent appeared on 17 3 52 despite due notices served on both the parties As this is a long pending case it could not be adjourned to a further date

Order no. h 1S652 4 29 3-52

The Counsel for the petitioners

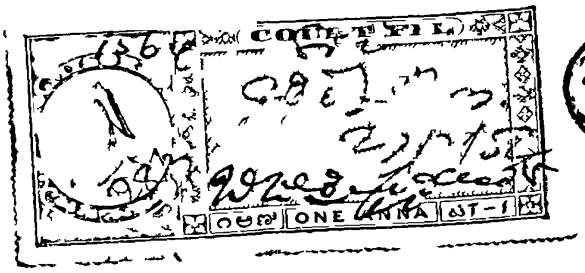
who argued the case did not let in any fresh point other than those that had been observed during the inspection of the Spot on 10 4 50. As the matter is pending before a judicial Court, any observations on the merits of the case at this stage would be undesirable when a decision on the case cannot be taken by Court on merits on account of the matter being sub judice, no useful purpose would be served, by referring the Stay order issued by Court in Appl L 9758 dated 17-3-50 on the petition dated 27-2-50 submitted by Sri A Venkatarama Raju Though after Spot inspection it was considered that it might be well to await a decision of the Court, it is now felt that merely because some other Court has not taken a decision there can be no justification for the Stay order to continue to be operative for an indefinite time

For the foregoing reasons the Stay order issued by Court in No L 9758 dated 17 3 50 is hereby vacated without prejudice to the decision of the case pending before a judicial Court.

B.O.
28/3

Appl has L S G Secy
27/2/50
27/3

To
1) The Caveat Corpn of the City of Bhimavaram (through the Manager)
2) Sri B N Hemamalini and others through Counsel Sri A Bhimasankaram
3) Sri A Venkatarama Raju through Counsel Sri Krishnamurthi & Co



Before the Govt of Mysore, Bangalore

Petitioners - B N Hemamma & others

Counter Petitioner
Respondent - G S A Venkataramana Rao

Copy application

The petitioners pray for a copy of the order passed in Govt order no

Produced herewith Court fee stamps for Rs 8-0 only and cash of Rs 1-0-0 only

B N Hemamma

2nd Petitioners 43, Rupena

Bangalore

Date 28 3 79

GOVERNMENT OF ~~HIS HIGHNESS THE MAHARAJA OF~~ MYSORE

General and Revenue Secretariat

No L.15655 /C ಆ ೪೦ 51 2 *Dated Bangalore* 29 March *19* 52

ENDORSEMENT

Granted to
Sri B H Shiva Ram,
No 254, M(1)
Filari Road,
Bangalore City

With reference to his application dated the 28th March 1952 requesting the ~~Government~~ Favour of a copy of order passed in regard to Power Rolling ills in premises No 44, Rangaswamy Temple Street, Sri B H Shiva Ram is informed that the stay order issued previously has been vacated

Draft

Hanumanthappa 29/3

(V HANUMANTHAPPA)
for Secretary to Government,
L S G Department

LS 2 29/3

8305
2 MAR 19..
MUNICIPAL BRANCH

To

The Secretary to Government of Mysore
Local Self Government Department
B A N G A L O R E

SIR

With reference to your letter No L 192-6 dated 6th April 1950 in regard to factory of Power Rolling Mills in the premises No 44 Ranganaswamy Temple Street Bangalore City

I wish to state that final orders seems to have been passed and I request the endorsement may kindly be granted early to the address given below

I have herewith enclosed 2 annas postal stamp

Thanking you

Yours faithfully,
B.H Shivaram

Bangalore
Dated the 28th March 1952

Address

B H Shiva Ram,
No 254, L (1)
Kilari Road BANGALORE CITY

Issue as endorsement
29/3
Sd MAs

Send draft as you are requested for after
29/3
Issue
29/3

Rs. 1 Rupee
Net stamp
send duplicate receipt
B.H Shivaram
29/3/52